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ABSTRACT

Complete governance and personnel policies for faculty and administrators of St. John's University, Minnesota, are included in the 1974 handbook along with a statement of purpose and historical sketch. Separate chapters contain: (1) responsibilities for all administrative officers, including department and division chairmen; (2) responsibilities and policies governing faculty including appointment, rank, tenure, evaluation, promotion, dismissal; (3) fringe benefits; (4) functions and procedures for the university faculty assembly; and (5) operating principles for faculty councils and committees. Appended are the constitution and laws, the charter and amendments, the statutes, and the bylaws of the university. (JT)

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HANDBOOK

FOR

FACULTY AND ADMINISTRATION

HE 007 398

Saint John's University
Collegeville, Minnesota
1 February 1974

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

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PERSONAL NOTES OF WELCOME

To our Colleagues and Friends,

The first Benedictine monks, five in all, came to the Territory of Minnesota in May of 1856 at the request of the Bishop of Saint Paul to work among the German immigrants and the Indians. They first settled near Saint Cloud and, in addition to their parochial and missionary work, began almost immediately to provide educational opportunities for their neighbors. On 8 December 1856 Father Cornelius Wittmann, O.S.B., pastor of Saint Cloud, opened the first school in that city, a parish elementary school with the pastor as the first teacher.

Even more important, these pioneer Benedictines of Minnesota did not delay in providing for more advanced education: they petitioned the Legislative Assembly of the Territory of Minnesota for a charter granting the status of a civil corporation to the Order of Saint Benedict with the avowed purpose of establishing a religious community and an institution of higher learning. The Charter was granted by the Legislative Assembly on 6 March 1957 and Saint John's Seminary (the title was later officially changed to Saint John's University) opened with five students on 10 November 1857 and has been in continuous existence since that date.

Important as the parochial, missionary and educational work were, the most important result of the coming of the first Benedictines to Minnesota was the establishment of a community of men dedicated to "seeking God" as outlined in the Rule of Saint Benedict, written in the sixth century. The first monks of Saint John's Abbey laid a solid foundation for community life as the center and source of whatever work the community undertook.

While remaining true to its heritage, Saint John's keeps striving to read the signs of the times and to adjust flexibly to the present needs of the Church and the world. Of these signs, the first appears to be man's growing consciousness of his dignity as a person, requiring him to act on his own responsibility and therefore in freedom. The second is man's growing consciousness of community, of being with and for others. Through creative fidelity to their Rule, the Benedictine community of Saint John's is in a unique position to continue fostering its educational apostolate in today's world.

Mindful of Saint Benedict's words, "Let all guests be received as Christ Himself," we welcome both administrators and faculty, and we gratefully acknowledge their loyalty, cooperation and indispensable assistance.

John Eidenschink, OSB

John Eidenschink, O.S.B.
Abbot and Chancellor

1 February 1974

To our Colleagues and Friends:

Saint John's is both an Abbey and a University. The Abbey consists of some 300 monks, brothers and priests, and the University has a faculty of approximately 125, lay and monastic, in almost equal proportion. The men and women comprising the faculty are a cosmopolitan group and have been trained or have taught in universities throughout the world.

Benedictines are among the oldest continuous human and religious communities in existence, dating their origins to the period shortly after the fall of ancient Rome. Subsequently Benedictine monastic schools were foremost in keeping learning alive, and these efforts led directly into the development of universities in the middle ages and to the growth of higher learning in the forms familiar to us today.

Scholarship, prayer and work in an atmosphere of simplicity and closeness to nature, and marked by a tender concern for one another, have always been hallmarks of Benedictine schools and colleges. Saint John's is attempting to carry these commitments forward into the twenty-first century in a spirit of innovation, welcoming change while retaining the best in human values. The University is loyal to the spirit of discovery in the arts and sciences, to the pursuit of truth as one of the greatest and most satisfying human activities, to the goals of human fulfillment, and to advancing the common good of mankind. This is the spirit which characterizes Saint John's.

We are now in our second century on American soil, in the midst of the magnificent woods and lakes of Minnesota, and on the edges of the thriving urban culture of the Twin Cities of Minneapolis and Saint Paul. We welcome into our midst persons of all races, creeds, nationalities and religious beliefs. But we remain steadfast in our devotion to the pursuit of higher learning, to the formation of the human spirit through the arts and sciences, to communal religious devotion through a life of prayer and productive work, and to a constructive involvement in public service.

Michael Blecker, O.S.B.
Michael Blecker, O.S.B.
President

1 February 1974

WHAT IS SAINT JOHN'S?

ITS CHARACTER, VALUES AND GOALS

Saint John's University is an educational community with a Benedictine heritage which invites all its members--faculty and students, administration and staff, alumni and friends--to participate in its formation and contribute to its development as a close-knit partnership in teaching and learning. In the process of such a continual response and growth, this many-sided Benedictine community of monks and laity, men and women emphasizes the values of detachment and involvement, of openness and deep concern toward our rapidly evolving society and the unique role of each individual. We are vitally interested in public service--in working with and for our local and even our larger national and world community. By long-standing tradition and in actual numbers predominantly Roman Catholic, the University as a whole embraces a wide spectrum of Christian and non-Christian faiths and actively fosters an outreaching and ecumenical orientation and spirit, an interreligious-intercultural dialogue and understanding to which Benedictine monasteries have shown themselves particularly hospitable the world over.

Among its chosen goals as an interacting community of teachers and learners, Saint John's University especially cherishes the following: seeking to help all participants, especially students, develop a meaningful philosophy of life by identifying their own personal ideals and achieving a deeper level of honesty and trust in their relationships with others; encouraging them to become conscious of the important moral issues of our time and to make concern for the welfare of mankind a central part of their lives; developing a dynamic campus atmosphere that is stimulating and intellectually exciting and will encourage all members to strive for high standards of intellectual performance, to develop an ability to synthesize knowledge from a variety of sources, and to maintain a lifelong commitment to learning, insuring that students gain a mastery of their chosen academic discipline and are also trained in methods of scholarly inquiry, scientific research, and problem-solving; fostering among the faculty an attitude and spirit that will keep commitment to the institution's goals as strong as career commitment, maintaining on campus a climate of open and candid communication and mutual trust where differences of opinion can be aired freely and amicably.

ITS CORPORATE AND INSTITUTIONAL STRUCTURE

Conducted by the Benedictine monks of Saint John's Abbey, Collegeville, Minnesota, Saint John's University comprises a College of Arts and Sciences, a School of Divinity, and a Graduate School. On 6 March 1857 the Benedictine monks, who had settled in the Territory of Minnesota the previous year, secured from the Territorial Legislature a Charter incorporating their small community as the "Order of Saint Benedict" "for scientific, educational and ecclesiastical purposes" and authorizing them to establish and erect an institution, or seminary, in Stearns County...to be known by the name and style of Saint John's Seminary."

Though this was its legal title, the school was known from its first years as Saint John's College. On 5 March 1869 Saint John's was authorized to confer academic degrees, and fourteen years later, on 17 February 1883, the legal title was changed to Saint John's University. The text of the Charter, or Articles of Incorporation, and its amendments is reprinted below among the Supplementary Documents.

The "Order of Saint Benedict, Incorporated, Collegeville, Minnesota," includes the religious superiors and members of Saint John's Abbey as the successors of the original incorporators. This Corporation functions under Bylaws last adopted in 1919. Intended for the governance of the religious community, the Bylaws of the Corporation specifically include the Code of Canon Law (1918) and the Rule of Saint Benedict (sixth century) with its formally approved modifications. A pamphlet edition of the Rule will be found in the ring-binder pocket.

The Order of Saint Benedict, the Corporation, has a Board of Directors, known as the Council of Seniors, and, as its officers, a President, who is the Abbot of Saint John's Abbey, and a Treasurer (Procurator) and Secretary, both appointed by the President.

In 18 January 1970 the Board of Directors of this Corporation approved Statutes delineating the scope of activities proper to its University division (Article I). In Articles II-IV these Statutes provide that the University shall operate under the guidance and control of two major boards: the Board of Regents and the Executive Governing Board, which have authority to create the bylaws necessary for the internal operation of the University. The Statutes of Saint John's University are given among the Supplementary Documents, below.

The Bylaws of the University, previously amended in 1963, were most recently revised by action of the Board of Regents and the Executive Governing Board on 2 February 1973 and will also be found below among the Supplementary Documents. At that time the boards recomended revision of the Handbook for Faculty and Administration to conform to the approved Statutes and Bylaws of the University.

This new edition of the Handbook, prepared and recommended by the University faculty and administration, was approved at a meeting of the Executive Governing Board on 6 November 1973. The Handbook provides a general summary of a faculty member's contractual obligations and prerogatives. As conditions change, the Handbook shall be amended and updated in consultation with the faculty and the administration and with the approval of the Executive Governing Board.

This Handbook, and any amendments or revisions thereof, are intended to be interpreted as consistent with the Charter granted by the Minnesota Territorial Legislature in 1857, with the Bylaws of the Corporation, with the Statutes and the Bylaws of Saint John's University, and with all present and future amendments and revisions thereof.

PART ONE

OFFICERS OF ADMINISTRATION

ARTICLE I. CHANCELLOR

The President of the Order of Saint Benedict, Incorporated, Collegeville, Minnesota, is ex officio Chancellor of the University. His responsibilities are described in the University Statutes, Article V, Section 2. (See the Supplementary Documents, below.)

ARTICLE II. PRESIDENT OF THE UNIVERSITY

The President of the University is the principal academic and administrative officer of the University and ex officio holds a faculty appointment. His responsibilities are detailed in the University Statutes, Article V, Section 3, and in Article III of the University Bylaws. (See the Supplementary Documents, below.) In all the subsequent articles of this Handbook the title of President designates the President of the University; the President of the Corporation is identified as Chancellor.

ARTICLE III. THE OFFICERS OF ACADEMIC AFFAIRS

Section 1. The Vice-President for Academic Affairs is directly responsible to the President and is primarily responsible for the overall direction of the instructional programs and academic services of the University. Ex officio he holds a faculty appointment. The Academic Vice-President, with the assistance of the Associate Vice-President for the College, administers the academic affairs of the College of Arts and Sciences. On the basis of the established policies of the University the Academic Vice-President shall have the following duties:

(1) He[1] leads the University faculty in continuing study and planning of academic programs and in the evaluation of existing programs.

(2) Assisted by the Vice-President for Administrative Services and Development, he has responsibility and authority for the development, in cooperation with the departmental chairmen, of the academic budget. This shared responsibility includes both the current academic budget and any long-range academic budget.

(3) He shall recommend to the President and the President's Council the appointment of new departmental chairmen.

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[1] Wherever in this Handbook the pronouns "he," "him," "his" occur, they are to be understood as generic equivalents of "he or she," "him/his or her."

(4) He shall conduct annually a review of the performance of faculty members and in conjunction with the chairman of the various departments and the appropriate committees shall recommend to the President salary increases, promotions in rank, the granting of tenure, or the termination of an appointment.

(5) He assists the President, in consultation with the Associate Vice-President and with the deans of the respective schools and the chairmen of appropriate departments, in making recommendations for appointment of faculty.

(6) He consults with the appropriate officials of the College of Saint Benedict in academic matters of a long-range nature that are of joint concern to the two institutions. These matters include:

a. Long-range planning of academic programs and the allocation of these programs between the schools, and
b. Long-range determination of staffing needs and the allocation of provision for these needs between the schools.

(7) After consulting with the Academic Vice-President of the College of Saint Benedict on the academic programs of separate and coordinate departments, he shall make the final decision regarding faculty assignments and course offerings in these departments.

(8) In consultation with the Vice-President for Student Affairs he shall collaborate with the College of Saint Benedict in developing the annual academic calendar and the integrated cultural-academic calendar for approval by the President's Council.

(9) He shall substitute for the President in his absence.

(10) He serves as an ex officio member of the President's Council and is vice-chairman.

(11) He serves as an ex officio member of the Academic Affairs Advisory Council and is the chairman.

(12) He serves as an ex officio member of the Standing Committee on Academic Rank and Tenure.

(13) He shall be responsible for the development and supervision of special programs, including international education and continuing education.

(14) He shares the responsibility and authority with the Director of Communications for development and preparation of the official Catalogue,

or Bulletin, of the University in cooperation with the Associate Vice-President and appropriate deans, departmental chairmen and committees.

(15) He represents the University at meetings of learned societies and other academic functions and represents the President on occasion at his request.

Section 2. The Associate Vice-President for the College is responsible to the Vice-President for Academic Affairs and shall assist him in the academic administration of the College. Ex officio he holds a faculty appointment. In accordance with established policies he shall have the following duties:

(1) He shall be primarily concerned with assisting faculty and students on academic matters and in the interpretation of existing policies.

(2) After the academic budget has been finalized, he shall be responsible for the administration and supervision of academic budgetary matters during the fiscal year.

(3) He reviews the academic records of students and notifies those who are academically deficient of their probationary status and even, when necessary, of academic dismissal.

(4) He is an ex officio member of the President's Council and the special Committee on Admissions.

(5) He shall be responsible for the collation of academic materials for the yearly publication of the joint Bulletin of Saint John's University and the College of Saint Benedict.

(6) He grants exemptions from academic regulations in accordance with the authority delegated to him by the faculty. Requests of a more serious nature are to be referred to the proper council or committee.

(7) He shall supervise those special academic programs which are assigned to him, including the undergraduate summer session, the January term, and matters pertaining to the administration of the library.

(8) He shall share with the Academic Vice-President the responsibility of recommending the appointment of new college faculty.

(9) He shall administer the College program of academic advising.

(10) He shall substitute for the Academic Vice-President in his absence.

Section 3. Each of the following officials reports to the Office of Academic Affairs:

a. The Dean of the Graduate School. The Graduate School is a (joint)[1] school of Saint John's University (and the College of Saint Benedict). The Graduate Dean is its chief administrative officer (and may be a member of either college faculty). He serves for a term of three years and reports (to the Academic Vice-President of the College of Saint Benedict as well as) to the Academic Vice-President of Saint John's University. The Dean is ex officio chairman of the Standing Committee on Graduate Studies. He bears primary responsibility for the Graduate School instructional programs. In cooperation with the departmental chairmen concerned he reviews and makes recommendations for faculty staffing. He is responsible for the admission of students, for notifying them if their academic standing is unsatisfactory, and even, if necessary, for recommending their discontinuance. In addition:

(1) He shall provide for the administration of the Graduate Record, language, and comprehensive examinations for prospective and enrolled graduate students.

(2) He shall give final approval of topics for dissertations, and appoint members of the graduate faculty to serve as advisers to graduate students in writing their dissertations.

(3) He shall accept completed dissertations upon the recommendation of the candidate's adviser and committee.

(4) He shall submit an annual budget for the graduate program and oversee its expenditure.

(5) He shall cooperate with the Academic Vice-President in the publishing of a Graduate School Bulletin.

(6) He shall collect syllabi of courses taught in the Graduate School and keep them on file for reference.

(7) He shall, in consultation with the appropriate chairmen, provide for periodic guest lectures to the Graduate School and shall, when faculty members are to be absent from scheduled classes, approve arrangements for substitute instruction or programs.

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[1] The words in brackets will become effective as soon as the College of Saint Benedict is accredited as a graduate school by the North Central Association of Colleges and Secondary Schools.

(8) He shall be responsible for long-range academic planning related to graduate course offerings, changing program needs, and the effect these will have on personnel and budget requirements. These matters he shall take up with the Committee on Graduate Studies, then discuss the proposed recommendations, in detail, with the Academic Vice-President with a view to their further development and eventual adoption.

(9) He shall announce and preside at meetings of the graduate faculty and shall be an ex officio member of its committees.

b. The Dean of the School of Divinity is the school's chief administrative officer and is responsible for its entire academic program--curricula, methods of instruction, grading practices, teaching assignments, the scheduling of classes, and the registration and advising of students, though in consultation with the chairman of the theology department. He serves for a term of three years. He shall prepare and submit for requisite approvals the Divinity School budget and supervise its administration. In addition to reporting to the appropriate University officials, he also reports to the Bishop of Saint Cloud and to the School of Divinity Advisory Board in accordance with the academic, professional and religious functions of this school. He is responsible for the admission of students, for evaluating their academic and professional progress, and also, if necessary, for authorizing their discontinuance. In cooperation with the chairman of theology he concerns himself with faculty effectiveness and improvement and reviews current and future needs for faculty staffing, recommending replacements and additions. In consultation with the divinity faculty he is also responsible for evaluating both the Master of Divinity and the nondegreed programs and for innovative planning in these areas. He is ex officio chairman of the divinity department.

c. Chairmen of academic departments. The chairman of each department shall serve for a term of three years. Members of the departments are to nominate for this office. The appointment is made by the President upon recommendation of the Academic Vice-President and the President's Council. After review, incumbent chairmen can be reappointed for subsequent terms if recommended by their departmental colleagues and the Academic Vice-President. Faculty members are not eligible for appointment or reappointment as chairmen after their sixty-fifth year.

(1) The chairman shall be responsible for the fulfillment of the aims of the department within the overall aims of the University program.

(2) He shall, in consultation with the department members, be responsible for granting or refusing admission to applicants who seek to major in the department.

(3) He shall submit to the Office of Academic Affairs schedules for each term and departmental revisions for the University Bulletin when they are requested.

(4) He shall be responsible for preparing the yearly instructional budget and overseeing its expenditure within the limits authorized; also for preparing annually an itemized inventory of departmental supplies and equipment.

(5) He shall arrange for representation of the department at meetings of professional and learned societies.

(6) He shall provide for the selection of a bibliographer, who, in consultation with his colleagues, is to prepare requests to the Librarian for the purchase of books and periodicals needed in their fields to the extent that the department's library budget allows.

(7) He shall have authority to grant exemptions from departmental graduation requirements.

(8) He shall submit to the Academic Affairs Advisory Council recommendations for new courses.

(9) He shall evaluate annually the performance of faculty in his department. He shall present to the Academic Vice-President his recommendations for the selection, retention, and promotion of members within the department.

(10) More generally: guided by the overall objectives of the University and in consultation with his colleagues, he shall initiate departmental planning of new programs and the projecting of future needs, in particular of personnel, preferably for a five-year period. Then, after discussing these proposals in detail with the Academic Vice-President, he shall, if encouraged, work out specific proposals for courses and personnel, which the Academic Vice-President can either approve, if they are within budgetary limits and his authority, or take up with the Academic Affairs Advisory Council or the appropriate faculty committee.

(11) He is to submit departmental requests for student assistants for the following academic year to the Director of Financial Aid.

(12) He shall, in cooperation with his colleagues, promote interest in graduate and professional study among departmental and divisional majors, assisting them in planning their future studies and in obtaining fellowships and assistantships.

(13) He shall hold departmental meetings regularly and shall forward six copies of the minutes to the Academic Affairs Office.

d. Chairmen of the Academic Divisions. Although the University operates primarily on a departmental basis, a divisional structure is also maintained in order to facilitate the offering of interdisciplinary courses and programs and to structure interdepartmental cooperation. Divisional chairmen are elected for terms of three years by members of the departments constituting the respective divisions. They serve in the rotating order now established. They coordinate aims within their divisions--including the avoidance of duplication in course offerings, agreed policy on library acquisitions, the coordination of seminar and honors courses, and other matters which are beyond the scope of departmental chairmen. They shall call divisional meetings at least once each semester, when new divisional majors and other joint undertakings can be discussed, and, if approved, can be submitted to the Academic Affairs Advisory Council for appropriate action. Divisional chairmen shall submit a written report to the Academic Vice-President at the close of each academic year.

e. The Registrar is the designated custodian, for Saint John's University, of the academic records of its students. On behalf of its faculty he is authorized to certify the courses of study completed by students in undergraduate, graduate or divinity programs. His principal duties include:

(1) Assembling, classifying, reporting and recording the academic work proposed and completed (courses, grades, credits, degrees, honors) by enrolled and former students in accord with the policies, standards and regulations set by the faculty and administration, accrediting agencies and professional groups.

(2) At the direction of the Academic Affairs Office, assisting it in gathering, editing, analyzing, publishing, distributing and storing Bulletins, class schedules, calendars, statistics and other information related to current and prospective academic programs.

(3) Confirming, on the basis of approved policies and requirements, the eligibility of candidates for the various standings, honors and degrees established or conferred by the University. The registrar is, ex officio, secretary of the University Faculty Assembly and is available as consultant to standing and special committees or councils concerned with formulating or supervising academic policies and standards.

f. The Director of the Library serves as head of the Alcuin Library of Saint John's University and takes the lead in developing and administering policies for the organization and servicing of all learning resources on its campus.

g. The Director of Admissions shall be responsible for the recruiting and admission of undergraduate students. He shall provide faculty and staff with the data necessary for the academic advising and counseling services of the University. With regard to the management of his office he reports to the Vice-President for Administrative Services and Development.

h. The Director of the Center for the Study of Local Government is responsible for integrating the activities of the CSLG with the mission and function of Saint John's University. He shall develop programs, maintain the funded budget, assure competent staff resources, and coordinate program delivery and development.

i. The Director of the Monastic Manuscript Microfilm Library, as curator of the collection, is responsible for overseeing all MMML operations. He shall provide the staff necessary for photographing, collecting and cataloguing the manuscripts. He has immediate supervision of the budget funded for the operation of this library.

Section 4. The Academic Vice-President, in consultation with the Academic Affairs Advisory Council, shall make such administrative appointments as may be needed in the conduct of academic affairs, in addition to those elsewhere enumerated in this Handbook.

ARTICLE IV. STUDENT AFFAIRS OFFICERS

Section 1. The Vice-President for Student Affairs is responsible to the President. He is the principal officer in the administration of activities supportive of, but not directly involved with, the curricular academic life of the University.

He is the chief administrator of all student services. He shall oversee and assist student social, religious, political, cultural and recreational organizations. He shall encourage the development of new forms of student activity suited to the times and consonant with the commitment of a Christian liberal arts college and take responsibility for the provision of physical recreation services for the University community. He assists the Office of Academic Affairs in developing the integrated cultural-academic calendar. He is responsible for the administration of the judicial system.

Even though the Director of Admissions, the Registrar, the Director of Student Housing, the Director of the Food Service and the Bookstore Manager report directly to other officials in the University, the Vice-President for Student Af-

fairs shall consult and be consulted by these officers regularly, since their functions touch directly on activities supportive of noncurricular academic life.

He shall, with the assistance of the Vice-President for Administrative Services and Development, prepare a budget each year for the services entrusted to his care and supervise the expenditure of this budget during the course of the year.

Section 2. Specifically, the Vice-President for Student Affairs is assisted by the Director of Student Activities, the Coordinator of Residence Programs, the Athletic Director, the Director of the Counseling Service, the Director for Minority Relations, the Director of Foreign Students, the Director of Placement and the Campus Security Director. All of these officials report to the Vice-President for Student Affairs and shall recommend to him annually a budget for their particular area of responsibility.

a. The Director of Student Activities. In the absence of the Vice-President for Student Affairs, the Director of Student Activities shall act in his place. He shall have immediate responsibility for the judicial system. He provides assistance to undergraduate student groups, organizations and the Student Executive Council. He will oversee the expenditure of student activities fees. The student coordinators of the annual orientation program are responsible to him.

b. The Coordinator of Residence Programs is the director of the faculty resident and resident assistant programs in the dormitories and is responsible for recommending the appointment of faculty residents. He shall call meetings of the faculty residents but shall work primarily with the chief of staff of each building.

c. The Athletic Director shall administer the required physical activities programs and supervise the recreation program for the entire student body. The intercollegiate athletic program is likewise his responsibility.

d. The Director of the Counseling Service shall coordinate developmental and remedial services as well as provide educational, vocational and psychological assistance for the student community.

e. The Director for Minority Relations shall coordinate all programs involving minority students. He shall also initiate and maintain counseling activities for minority students.

f. The Director of Foreign Students shall coordinate all campus programs involving foreign students. He shall also initiate and maintain counseling activities for foreign students.

g. The Director of Placement is responsible for assisting students,

particularly seniors and alumni, in finding suitable employment following their graduation. He arranges on-campus interviews with representatives of major corporations as well as state and federal agencies. He is responsible for providing a library of vocation- and career-oriented literature. He also assists undergraduates seeking summer employment.

h. The Campus Security Director shall be responsible for maintaining security for the campus and for all nondormitory buildings on campus. In case of need he shall be on call to aid the resident assistants and faculty residents in the dormitories. The director of traffic control shall report to him.

ARTICLE V. THE OFFICERS FOR ADMINISTRATIVE SERVICES AND DEVELOPMENT

Section 1. The Vice-President for Administrative Services and Development is responsible to the President. The planning, management and evaluation of administrative services and the development program are his overall responsibility.

He assists the Academic Vice-President in developing the academic budget, and the Vice-President for Student Affairs in developing the student affairs budget. Specifically his responsibilities include accounting for the revenues and expenses of all University programs, academic and nonacademic; the preparation of working and long-range operating and capital budgets for review and approval by the concerned departments in his own and other divisions; and the institution of regular controls and procedures to account for all University funds. He is the University's representative in negotiations with the Order of Saint Bendict, the Corporation, concerning the allocation of responsibility and cost.

He shall be responsible for obtaining income for the support of University operations and programs from its various constituencies, including government, foundations and individual donors.

He shall be responsible for the construction, remodeling, maintenance, proper operation and funding of the University's physical plant (classroom buildings, dormitories, special purpose facilities, etc.) together with adjacent grounds, including movable assets.

In consultation with the department heads affected and in negotiation with representatives of the concerned parties, he has primary responsibility for the development, implementation and review of written policies and procedures regarding working conditions, job classifications, wage scales, benefits, grievance procedures and related matters involving any nonacademic employees of the University, whether regular or temporary, full-time or part-time.

The procurement and purchase or sale of all supplies, equipment and noninstructional services required by administrative and academic cost-center heads within the limits of their budgets are under the direction of this vice-president and the subordinate officers to whom he delegates authority in such matters. Specifically included here are the University bookstore with its textbook department, the computing center, the food service, campus communications (mail and telephone), the Saint John's Center (the campus coordinator) as well as other noninstructional income-producing enterprises.

Section 2. Specifically, the Vice-President for Administrative Services and Development is assisted by the Personnel Director, Business Manager, Director of Admissions, Director of Financial Aid, Director of Development, Director of Communications, Bookstore Manager, Director of Computer Center, Food Service Director, Housing Director, and Director of the Saint John's Center.

a. The Personnel Director assists in all personnel matters relating to nonfaculty and nonadministrative positions. He is responsible for establishing and maintaining an effective system for the appraisal of employee performance; administering the wage and salary program in accordance with established policy; insuring that compensation and employment practices meet federal and state standards; and, specifically, facilitating an Affirmative Action Program for nondiscriminatory conditions of employment.

b. The Business Manager is primarily responsible for the preparation of short-term and long-range budgets, for the implementing of controls necessary to operate within the limits of the budget, for the issuance of salary and wage payments and for the recording and payment of appropriate taxes and other fringe benefits. He is the record-keeper for all personnel. He shall be assisted by the Coordinator of Business Data Processing, Student Accounts Officer, Junior Accountant and Duplicating Center.

c. The Director of Financial Aid shall be responsible for all Saint John's University undergraduate financial aid programs. He shall be the institutional representative of the University in all federal and state financial aid programs and shall be responsible for all aspects of those programs. He shall act as agent for the University in all cases of funds made available by individuals, corporations or foundations.

d. The Director of Communications shall be responsible for coordinating all grant applications made to foundations, governmental agencies, corporations or private individuals. He shall also be responsible for University public relations and the issuance of all printed information about Saint John's University.

e. The Director of Development shall plan and supervise all University fund-raising, whether for capital, endowment, research or

current operations, with the exception of grant applications. He shall be the coordinator of all University development activities with individuals, corporations or organizations.

f. The Bookstore Manager shall be responsible for the Bookstore Auxiliary Enterprise, its management, budget and operation. He shall be responsible for the maintenance of building areas and equipment assigned to the bookstore. He shall be responsible for the purchase and re-sale of all books, materials and merchandise required by the University community.

g. The Director of the Computer Center shall be responsible for the Computer Center Auxiliary Enterprise, its management, budget and operation. He shall be responsible for the maintenance of building areas and for all the equipment assigned to the Computing Center. He shall be responsible for coordinating the many uses and for assigning priority among users.

h. The Food Service Director shall be responsible for the Food Service Auxiliary Enterprise, its management, budget and operation. He shall be responsible for the maintenance of building areas and equipment assigned to the food service. He shall be responsible for campus food vending, for Mary Union, for Der Keller and for on-campus food catering.

i. The Housing Director shall be responsible for the Housing Auxiliary Enterprise, its management, budget and operation. He shall be responsible for contracting maintenance for all buildings, equipment and grounds assets managed by the University. He shall be responsible for all University room, apartment and house rentals and for maintaining the conditions of the various leases.

j. The Director of Saint John's Center shall be responsible for servicing all activities which take place on the Saint John's campus, with the exception of the academic program. He shall be responsible for all hosted events as well as for the operation of the Information Center.

ARTICLE VI. DIRECTOR OF CAMPUS MINISTRY

The Director of Campus Ministry is appointed by the President and reports directly to him. He and his associates assist in coordinating the religious, social and academic activities on campus so as to serve the spiritual needs and concerns of the entire University community. Their basic role is to build this sense of community not only in religious services but also by fostering a better awareness of community responsibilities. The campus ministry seeks to improve communication between faculty, administration and students and at the same time to reach out to the larger community, local, national and international.

ARTICLE VII. ADMINISTRATIVE APPOINTMENTS

Section 1. Unless it is otherwise specified herein or in the Statutes and Bylaws of the University (i.e., in the case of the vice-presidents and deans), the President appoints all members of the administration -- namely, those described in Part One of this Handbook.

Section 2. In exercising his responsibility to recommend for appointment to major administrative offices, the President will consult the University's constituencies as provided in Article VI of the Bylaws through search committees composed of faculty, students and administrators.

Section 3. In the case of other administrative offices he shall consult with the appropriate vice-president and the President's Council before making appointments.

ARTICLE VIII. TERMINATION OF ADMINISTRATIVE APPOINTMENTS

Section 1. Unless otherwise specified, administrative appointments are for a term of one year.

Section 2. Administrators are entitled to written notification of nonreappointment according to the following norms:

> In their first year of service, not less than three months before the expiration of their contract.
>
> In their second year, not less than six months before the expiration of their contract.
>
> At least twelve months before the expiration of an appointment after two or more years of service in the University.

This provision for terminal notice need not apply in the event that there has been a finding that the grounds which justified dismissal involved serious personal misconduct, provided that the individual is extended the protection of due process.

Section 3. An administrator may terminate his appointment effective at the end of an academic year, provided that he gives notice in writing at the earliest possible opportunity, but not later than May 15, or thirty days after receiving notification of the terms of his appointment for the coming year, whichever date occurs later. He may properly request a waiver of this requirement of notice in case of hardship or in a situation where he would otherwise be denied substantial professional advancement or other comparable opportunity.

Section 4. The regulations concering academic freedom (Part Two, Article XI, Section 9) apply to administrative personnel who hold academic rank, but only in their capacity as faculty members. Where an administrator alleges that a con-

sideration violative of academic freedom significantly contributed to a decision to terminate his appointment to an administrative post, or not to reappoint him, he is entitled to the procedures set forth in Part Two, Article XI, Section 10.

Section 5. In no case will administrators described in Part One of this Handbook who are not otherwise protected by the regulations which relate to dismissal proceedings be dismissed without having been provided with a statement of reasons and an opportunity to be heard before the Administrative Services and Development Advisory Council. (A dismissal is a termination before the end of the period of appointment.)

ARTICLE IX. ADMINISTRATIVE LEAVES AND VACATIONS

Section 1. The vice-presidents are responsible for encouraging the professional growth of their administrative assistants and staff members. Leaves may be granted on their recommendation and that of the President by the Executive Governing Board for that purpose. Vice-presidents will also authorize reimbursement for travel undertaken by administrative assistants and staff members for the purpose of representing the University or for professional growth.

Section 2. Each twelve-month administrator shall be granted vacation with pay in accordance with the following schedule: two weeks after one year; three weeks after five years; four weeks after ten years.

Section 3. Before September 1 of each academic year, the President's Office shall provide a list of the year's paid holidays for twelve-month administrative or faculty personnel. If any of the declared holidays should occur during a scheduled vacation, it shall be counted as holiday rather than as vacation.

PART TWO

UNIVERSITY FACULTY

ARTICLE I. DEFINITION

As defined in Article IV, Section 1, of the University Bylaws, the faculty comprise all "persons having appointment for the instruction of students."

ARTICLE II. FACULTY APPOINTMENT

Section 1. Appointments for the instruction of students are made either to one of the formal academic ranks, from instructor to professor, or to the position of visiting or adjunct professor or of lecturer, in the case of those appointed in an auxiliary capacity, without the full rights and obligations of faculty members as described in the articles that follow. Only those appointed to one of the formal academic ranks have a "faculty appointment" and are designated as "faculty members" in this Handbook.

Section 2. Appointments may be:

a. part-time (a minimum of one four-credit course per term or its equivalent);

b. half-time (a minimum of three undergraduate courses or their equivalent, or two graduate courses or their equivalent, and other University service per year);

c. full-time (as defined below in Article III, Section 2).

All who hold a faculty appointment, whether for part-time, half-time or full-time service, are faculty members and at the same time voting members of the University Faculty Assembly.

Section 3. Appointments may be either term appointments or tenure appointments.

a. Term appointments are usually for one year and normally will not be offered to a faculty member after seven years of full-time University service (Article XI, Section 2, below).

b. Tenure is defined as continuous full-time University service until retirement; it implies freedom from arbitrary dismissal. A faculty member secures tenure only by decision of the Executive Governing Board upon recommendation of his departmental chairman, the Faculty Committee on Academic Rank and Tenure, the Academic Vice-President and the President. This offer of tenure is based not only upon the eligibility and the personal and professional qualifications

of the faculty member who is recommended for it, but also upon the University's capacity to make this commitment (Article VII).

Section 4. The Academic Vice-President will assist the President in making recomendations for faculty appointments by consulting with the respective deans and the chairmen of the various departments and divisions to determine personnel needs within each academic area and by coordinating the search for qualified personnel in the lay and religious communities. Applications will be solicited and discussed by departments, divisions or schools according to their procedures for internal consultation, then reviewed by the appropriate dean or chairman and by the Academic Vice-President. Nominations shall be submitted to the Executive Governing Board by the President after consultation with the Academic Vice-President. Renewals of appointments need not be submitted to the Executive Governing Board. The above procedure will be followed with regard to the appointment of other academic personnel except that the President need not submit such appointments to the Executive Governing Board.

ARTICLE III. FACULTY RESPONSIBILITIES

Section 1. Every faculty member is responsible for carrying out satisfactorily the duties he has agreed to by the terms of his individual faculty assignment.[1] This mutual agreement is made annually after consultation between the faculty member and his chairman, reviewed by the Academic Vice-President. By his signature the individual is to note acceptance of this written agreement. The relative importance of the various responsibilities assigned to a faculty member and the time devoted to them will normally differ in the case of each. As far as possible, the individual faculty assignment should take into account the person's particular qualifications and his program of professional development (cf. Article IV, Section 5, below).

Section 2. For determining teaching responsibilities in the faculty assignments of full-time members, the following are to be considered guidelines:

a. Faculty members are appointed with the expectation that they will be principally occupied with the academic growth and development of students during all terms of the academic year. The number of teaching

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[1] A faculty member's overall responsibilities include: teaching, which is paramount; scholarship that sustains and enriches teaching; research and publication or, in the arts, creativity evidenced by exhibits, performances or publication; academic advising; University governance; public service. The purpose of the individual faculty assignment is to insure that responsibilities are apportioned in a balanced way that reflects the individual member's capabilities and the University's needs.

hours assigned to them will vary with the nature of the discipline, the total number of students for whom they are responsible in group and individual learning programs, and the other duties they are given.

b. The variety of approved learning programs and the difference in individual abilities makes it impossible to state a uniform schedule of class hours to be assigned to all faculty members. In general, however, the full-time faculty member will be expected to devote at least three-fourths of his University service in a given year to teaching and not more than one-fourth to other duties.

c. A faculty member will not be assigned more than three four-credit courses in a given semester, nor more than one hundred students enrolled in such courses unless assistance can be provided to make working with a larger number feasible.

d. Faculty members are encouraged to direct individual learning projects, but no faculty member need be responsible for more than one tutorial or three concurrent individual learning projects without a corresponding reduction of other duties.

e. January term responsibilities may be fulfilled by either teaching a course or directing a proportionate number of individual learning projects or fulfilling assigned equivalent nonteaching duties during January. A faculty member may be excused from January term responsibilities through the recommendation of his chairman and the approval of the Academic Vice-President because of unusual responsibilities borne during a regular term. A faculty member may also receive a January term leave of absence through the usual procedures.

Section 3. Faculty members are responsible for making reasonable progress in their individual programs of continuous professional development.

Section 4. A faculty member should not enroll or refuse to enroll students in his courses on the basis of their beliefs or otherwise discriminate among them capriciously. When grades or other evaluations of academic performance are required, he should provide the University with such grades or evaluations of each student in his classes. If he is unable to meet a class, he should offer alternate instruction to satisfy his students' expectations and his contract with the University; this obligation can be met in various ways, and the method adopted should be endorsed by either his own chairman or dean or the Associate Vice-President for the College, who should also be notified promptly in cases of emergency. A faculty member should assess the amount and character of any obligations he assumes outside the University with due regard to his paramount responsibilities within it.

Section 5. In addition to teaching, members of the faculty are expected to assist in the advising and registration of students and in the University testing program, as well as to respond to requests for emergency teaching or proctoring duties in such situations as the temporary illness of a colleague or his enforced absence from the campus.

Section 6. Each faculty member shares responsibility for the governance of the University, a responsibility he is expected to exercise by regularly taking part in meetings of his department, of the University Faculty Assembly and of the Faculty Forum, and by being available for the work of University councils and committees. But no faculty member may be required to participate on more than one standing committee or council. Faculty members are also expected to take part in major academic events, such as commencement exercises and all-University convocations. If unable to attend, they should notify the President's Office in advance.

Section 7. While members of the faculty owe a primary loyalty to their own departments, they are also members of a larger academic community and should therefore make every effort to work cooperatively with members of other departments in matters affecting the welfare of the entire University.

Section 8. Since the Saint John's community lives in relatively close contact, it is assumed that outside the classroom faculty members will be available to their students informally and frequently. But they should also make themselves regularly accessible at formally designated hours.

Section 9. Full-time faculty are expected to be regularly available on campus during class days.

Section 10. Normally faculty are given a nine-month contract with the precise dates for its beginning and end indicated yearly therein. The nine-month contractual period is understood to be a full nine months exclusive of scheduled vacations and holidays as specified in the annual Bulletin.

ARTICLE IV. FACULTY DEVELOPMENT

Section 1. The University is obligated to provide for the professional development of its faculty within the limits of its resources. The principal obligation to recommend and guide faculty development programs belongs to the Academic Vice-President in consultation with the Academic Affairs Advisory Council and the Academic Rank and Tenure Committee.

Section 2. Faculty development programs include: salary increments, promotion and tenure; leaves of absence; grants for faculty research, publication and study; travel; evaluation of faculty performance; and participation in such other activities as may be reasonably expected to assist faculty growth and development.

Section 3. The Academic Vice-President in consultation with departmental chairmen, shall lead the University community in academic and curricular planning and make known to departments and individual faculty members duly established long-range and short-term University educational goals.

Section 4. Departmental chairmen are responsible for the development of long-range and short-term educational goals for their departments, planning in cooperation with the Academic Vice-President.

Section 5. Each faculty member is expected to plan an individual program of continuous professional development. This program should accord with his personal abilities and needs and take into account the University's long-range and short-term educational goals. It should be developed in consultation with and be acceptable to his chairman and the Academic Vice-President and should be submitted in writing to them. It should be a long-term plan but should also include an intermediate goal to be achieved before promotion to the rank of associate professor or professor. This program should be reviewed annually and revised when necessary.

Section 6. The Academic Vice-President with the approval of the Academic Affairs Advisory Council will annually recommend a budget to the President to carry out faculty development programs.

ARTICLE V. ACADEMIC RANK

Section 1. The University recognizes the tradition of differentiated faculty ranks as a means to encourage and reward faculty development. Pursuant to the provisions of Article V, Section 3, of the University Bylaws, each person with a faculty appointment holds one of the following academic ranks: professor, associate professor, assistant professor, or instructor.

Section 2. The qualifications for the rank of professor are:

a. An earned doctorate or the appropriate professional or terminal degree, or outstanding accomplishment in a given field.

b. Normally ten years in the rank of associate professor.

c. Unusual achievement, or noteworthy contribution to the University or the profession.

d. Consistently above-average evaluations in the performance of most aspects of his faculty assignments, with teaching effectiveness a paramount criterion (cf. Article III, above).

e. Substantial and recognizable progress in his individual program of professional development (cf. Article IV, above).

Section 3. The qualifications for the rank of associate professor are:

a. An earned doctorate or the appropriate professional or terminal degree, or notable achievement in a given field.

b. At least five years in the rank of assistant professor.

c. Satisfactory attainment of at least the intermediate goal in his professional development program.

d. In addition to satisfactory overall evaluations, an evaluation indicative of attainment well above average in at least one significant aspect of his faculty assignment over each of the two previous years, with teaching effectiveness a primary criterion.

Tenured faculty may remain at the rank of associate professor indefinitely.

Section 4. The qualifications for the rank of assistant professor are:

a. Normally an earned doctorate or the appropriate professional or terminal degree, or significant achievement in a given field, or above-average success in the performance of his faculty assignment.

b. Evaluation data, for from one to three consecutive years, indicative of satisfactory performance of his faculty assignment and satisfactory progress in his plan of professional development. Here, too, successful teaching is a paramount consideration.

Tenured faculty may remain at the rank of assistant professor indefinitely.

Section 5. The qualifications for the rank of instructor are:

a. A master's degree or the first professional degree or diploma and limited experience or attested promise in the field of teaching.

Section 6. Instructional personnel who are retained on a course or hourly basis hold status as visiting or adjunct professors, or lecturers. They are not eligible for tenure and are compensated in accordance with the amount and type of service they perform. Their contracts are for one year or for shorter periods and may be renewed. They are not expected to assume committee assignments or attend departmental meetings or the University Faculty Assembly, though they are welcome to take part as nonvoting guests.

Section 7. Visiting or exchange personnel retain the academic rank held at their own institution, as visiting professors, associate professors, etc. They are welcome as guests at departmental, committee or faculty assembly meetings but do not vote and are under no obligation to attend, or to accept committee assignments.

ARTICLE VI. CRITERIA FOR PROMOTION IN RANK

Section 1. Recommendations to the Executive Governing Board for promotion in rank are normally initiated by departmental chairmen, reviewed and approved by the Academic Rank and Tenure Committee, the Academic Vice-President, and the President in consultation with his Council.

Section 2. The criteria for promotion include a consideration of:

a. The qualifications required for the rank;

b. The candidate's personal and professional abilities and teaching effectiveness as regularly evaluated;

c. The projected financial resources of the University; such fiscal projections are to be made available annually to the Academic Rank and Tenure Committee by the Vice-President for Administrative Services and Development.

ARTICLE VII. QUALIFICATIONS AND CRITERIA FOR ADVANCEMENT TO TENURE

Section 1. The University recognizes the value of tenure as a guarantor not only of academic freedom but also of the stability, in a Benedictine sense, of the University as a community of scholars.

Section 2. The qualifications required for a candidate's advancement to tenure are:

a. An earned doctorate or the appropriate professional or terminal degree, or notable achievement in a given field.

b. Completion of the probationary period of seven years of full-time teaching or the equivalent.

c. Evaluations during the probationary period indicating satisfactory performance of all aspects of his faculty assignment, especially his teaching (cf. Article III, Section 1, above).

d. Evaluations indicative of above-average performance in at least one significant aspect of this assignment over each of the two previous years.

e. Evaluations indicative of satisfactory progress in his program of professional development (cf. Article IV, Section 5, above).

f. Evaluations indicative of continued future progress in the program of professional development and of continued performance of his faculty

assignment at a satisfactory level.

Section 3. In making their recommendations to the Executive Governing Board for advancement to tenure, departmental chairmen, the Academic Rank and Tenure Committee, the Academic Vice-President and the President will consider the following criteria:

a. The qualifications required for tenure.

b. The individual's personal and professional qualifications as regularly evaluated.

c. The projected curricular needs of the University.

d. The projected financial status of the University.

e. Article V, Section 4 of the University Bylaws: the principle that the University faculty and the various departmental staffs should be composed of both tenured and nontenured members.

Section 4. Recommendations for tenure must be based on a conviction that all criteria for granting tenure have been met. These recommendations should be submitted in ranked order to the Executive Governing Board by the Rank and Tenure Committee, the Academic Vice-President, and the President.

ARTICLE VIII. FACULTY COMPENSATION

Section 1. In compensating the faculty the University will seek to meet the changing conditions of the economy. Normal salary increments, reflecting the cost-of-living index, should be assured those faculty members for whom evaluation data indicates satisfactory performance of their faculty assignment and satisfactory progress in their program of professional development. Individual evaluations indicative of unsatisfactory performance of one's faculty assignment or unsatisfactory progress in one's program of professional development should usually lead to less than normal salary increments.

In addition to providing cost-of-living increments the University will seek to recognize merit. Above-normal increments should be reserved for those faculty members whose evaluation data indicate:

a. Superior teaching;

b. Superior performance of some other significant aspect of their faculty assignment; or

c. Superior achievement in some significant aspects of their program of professional development.

In determining above-normal increments the foremost consideration is given to criterion (a).

Section 2. The University administration will study compensation with representatives of the faculty, should the University Faculty Assembly choose to elect an ad hoc committee for this purpose.

Section 3. The Academic Vice-President is responsible for recommending, in consultation with departmental chairmen, individual faculty compensation according to the formula established by the Executive Governing Board and on the basis of the evaluation data available for faculty members. The Academic Vice-President is to inform individual faculty members of his recommendations, and they will be given the opportunity to ask for a review of his recommendation. If they are still not satisfied, they may seek a review of the Academic Vice-President's recommendation by the Academic Rank and Tenure Committee.

ARTICLE IX. REVIEW OF FACULTY PERFORMANCE

Section 1. Faculty members have a right to regular evaluation of both the performance of their faculty assignment and the progress made in their program of professional development. The Academic Vice-President will be responsible for evaluating the performance of individual faculty members, this evaluation to be based on yearly written reports and supplementary interviews from or with the faculty member himself, his chairman and/or a departmental evaluation committee, and his students. In addition, departmental chairmen are expected to have a least one evaluation interview a year with each nontenured member of their departments and to visit the classroom of nontenured department members annually.

Section 2. Recommendations for promotion in rank and advancement to tenure are to rely on these regular evaluations in order to establish the personal qualifications of the candidate. Evaluation data is made available to the Academic Rank and Tenure Committee for such purposes by the Academic Vice-President. It is also to be made available to the candidate for his review.

Section 3. Evaluation data should include evidence of the following:

a. Personal qualities: commitment to the pursuit of truth and the free interchange of ideas; moral integrity; personal and social maturity; respect for colleagues.

b. Teaching abilities: competence as a teacher in a liberal arts college; breadth of general cultural background; command of one's subject; scholarship; skill in communicating with students; capacity to motivate independent work on their part; ability to stimulate interest in one's subject; sense of responsibility in meeting the demands of the teaching profession; years of experience; availability as a student adviser.

c. Professional achievements: earned degrees and professional recognition; publication of articles and books; or, in the arts, proven creativity, evidenced by exhibits, performances, or publications; participation in the activities of learned societies.

d. University and community service: involvement in University activities; qualities of academic leadership manifested on the various levels of University governance; noteworthy service to the University community; participation in civic programs and endeavors, and significant contributions, as an educator, to the life and well-being of the surrounding area or region.

ARTICLE X. LEAVES OF ABSENCE, UNIVERSITY GRANTS, AND TRAVEL

Section 1. Leaves of absence are an integral part of the faculty development program. The Academic Vice President in consultation with departmental chairmen and the Academic Affairs Advisory Council will recommend to the President and his Council the number and distribution of such leaves and in ranked order those to whom the leaves should be granted. After consultation with his Council the President will present the names of specific recipients to the Executive Governing Board for final approval.

Section 2. Leaves of absence without pay may be granted to members of the faculty for participation in exchange programs, for public service and for other reasons. Members of the administration are also eligible for such leaves.

a. These leaves include leaves for special work, advanced study or research and publication. The administration will endeavor to assist applicants in securing partial or full support in the form of private or public grants or, where feasible, to provide funding from University sources with the authorization of the Executive Governing Board.

b. Leaves without pay are for a definite period, normally for no more than a single term or academic year, but not to exceed three years.

Section 3. Sabbatical Leaves.

a. Faculty members with tenure shall become eligible for sabbatical leaves after seven years of full-time service to the University. A second leave may be granted after a similar period of seven years; but, as a rule, sabbatical leaves will not be granted after a faculty member has reached the age of sixty.

b. A sabbatical leave shall normally be for one academic year at half salary, but may be granted for a half year at full salary.

Section 4. Procedures for granting leaves of absence, except those covered by Section 8, are as follows:

a. Application by the faculty member to his chairman and the Academic Vice-President normally by November 1 of the year preceding the requested leave.

b. Recommendation of the Academic Affairs Advisory Council by December 1.

c. Decision by the President's Council and the Executive Governing Board.

d. Notification of approved leaves to applicants and departmental chairmen by the end of the fall term.

Section 5. Whenever the Executive Governing Board has approved a leave of absence, the faculty member while on leave retains all the rights of rank, tenure, retirement and other benefits which he has acquired. By special arrangement, time spent on leave may be counted for promotion and tenure. If he is on full or partial salary, the University will continue to pay the social security tax in his behalf, proportionate to his salary; it will also continue to pay its share of the group health and life insurance premium and the retirement premium. If he is on leave without salary, the University will make none of these payments, but he may continue to participate in the group health, life insurance and retirement programs by paying both his own and the University's share of the premium.

Section 6. Faculty members, with the approval of the Academic Vice-President, are encouraged to seek research and study grants for any period of the calendar year. The University will provide every assistance in securing grants and fellowships for specialized study by members of the faculty. If they receive a partial grant from an outside source, the Academic Vice-President may recommend that additional compensation be paid by the University.

Section 7. If a faculty member does not return to the University for at least one year after completing a leave of absence financed in whole or in part by the University, he thereby assumes the obligation of repaying the amount advanced to him by the University during the time he was on leave.

Section 8. Maternity and Sick Leaves.

a. Sick leaves of less than six months may be granted with pay on the recommendation of the Academic Vice-President and the President.

b. Faculty and administrative personnel will be granted a one-month maternity leave at full pay.

c. If a faculty member is unable to perform all or a substantial part of his duties for a period of more than six months because of ill health or similar causes, he does not lose tenure but may be placed on indefinite leave of absence without pay by the Executive Governing Board until such time as he shall be able to resume his duties. Here a faculty member is required to present competent medical evidence of his state of health acceptable to the Academic Vice-President, if the latter so requests. In the event that a nontenured faculty member shall be unable to perform all or a substantial part of his duties for a period in excess of six months on account of ill health, the University may terminate his appointment.

Section 9. All leaves of absence, except sick leave, terminate after one calendar year. They may be extended for a second year by special resolution of the Executive Governing Board upon recommendation by the President, and in exceptional cases for a third year. No extension of leave will be granted beyond the third year.

Section 10. Faculty Grants. The University will seek to provide, as part of the annual educational and instructional budget, funding for faculty research, study and publication. The administration of such funds is in the hands of the Academic Vice-President in consultation with the Academic Affairs Advisory Council. Faculty members are encouraged to apply for grants according to the procedures determined by the Academic Affairs Advisory Council.

Section 11. Travel. Funds set aside for faculty travel are authorized by the Academic Vice-President on the request of departmental chairmen.

ARTICLE XI. PROVISIONS RELATING TO ACADEMIC FREEDOM AND TENURE

Section 1. Statement of Terms of Appointment.

a. The terms and conditions of every faculty appointment or an appointment to the position of lecturer or visiting or adjunct professor will be stated or confirmed in writing, and a copy of the appointment document will be supplied to the appointee. Any subsequent extensions or modifications of the appointment, and any special understandings, or any notices incumbent upon either party to provide, will be stated or confirmed in writing and a copy will be given to the appointee.

b. With the exception of appointments clearly limited to a brief association with the University, and reappointments of retired faculty members on special terms, all full-time appointments to the rank of instructor or higher are of two kinds: (1) term appointments; (2) appointments with continuous tenure.

c. Except for faculty members who have tenure status, every person with a teaching appointment of any kind will be informed each year in writing of his appointment and of all matters relative to his eligibility for the acquisition of tenure.

Section 2. By March 1 the University will normally notify faculty members of the terms and conditions of their contract renewals, but in no case shall such information be given later than April 15.

Section 3. Term Appointments and Eligibility for Tenure.

a. Term appointments may be for one year, or for other stated periods. The total period of full-time service prior to eligibility for continuous tenure is seven years including all previous full-time service with the rank of instructor or higher in other institutions of higher learning, except that this period may be extended to as much as four years, even if the total full-time service in the profession thereby exceeds seven years; the terms of such extensions will be stated in writing at the time of initial appointment.

b. The faculty member will be advised, at the time of initial appointment, of the substantive standards and procedures generally employed in decisions affecting renewal and tenure. The faculty member will be advised of the time when decisions affecting renewal or tenure are ordinarily made, and will be given the opportunity to submit material which he believes will be helpful to an adequate consideration of his circumstances.

c. Regardless of the stated term or other provisions of any appointments, written notice that a term appointment is not to be renewed will be given to the faculty member in advance of the expiration of his appointment, as follows:

(1) Not later than March 1 of the first academic year of service if the appointment expires at the end of the year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination;

(2) not later than December 15 of the second academic year of service if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination;

(3) at least twelve months before the expiration of an appointment after two or more years of service at the University.

As provided in Article III, Section 10, above, appointments expire on the day specified in the contract.

d. When the Academic Vice-President reaches a decision not to renew an appointment, the appointee will be informed of that recommendation or decision in writing, and, if he so requests, he will be advised of the reasons which contributed to that decision. The faculty member may request a reconsideration by the Academic Vice-President.

e. If the faculty member so requests, the reasons given in explanation of the nonrenewal will be confirmed in writing.

f. Insofar as the faculty member alleges that the decision against renewal by the Academic Vice-President was based on inadequate consideration, the Standing Committee on Academic Rank and Tenure will review the faculty member's allegation and determine whether the decision was the result of adequate consideration in terms of the relevant criteria of the University. The committee will not substitute its judgment on the merits for that of the Academic Vice-President. If the review committee believes that adequate consideration was not given to the faculty member's qualifications, it will request reconsideration by the Academic Vice-President, indicating the respects in which it believes the consideration may have been inadequate. It will provide copies of its findings to the faculty member and the President.

Section 4. Termination of Appointment by the Faculty Member. A faculty member may terminate his appointment effective at the end of an academic year, provided that he gives notice in writing at the earliest possible opportunity, but not later than May 15, or thirty days after receiving notification of the terms of his appointment for the coming year, whichever date occurs later. The faculty member may properly request a waiver of this requirement of notice in case of hardship or in a situation where he would otherwise be denied substantial professional advancement or other opportunity.

Section 5. Termination of Appointments by the University.

a. Termination of an appointment with continuous tenure, or of a term appointment before the end of the specified term, may be effected by the institution only for adequate cause.

b. If termination takes the form of a dismissal, it will be pursuant to the procedure specified in Section 6.

c. Where termination of an appointment with continuous tenure, or of a term appointment before the end of the specified term, is based upon bona fide financial exigency or discontinuance of a program or

department of instruction, Section 6 will not apply, but faculty members shall be able to have the issues reviewed by the Standing Committee on Faculty Affairs or by the University Faculty Assembly, with ultimate review of all controverted issues by the Executive Governing Board. In every case of financial exigency or discontinuance of a program or department of instruction, the faculty member concerned will be given notice as prescribed in Section 3 (c). Before terminating an appointment because of the abandonment of a program or department of instruction, the University will make every effort to place affected faculty members in other suitable positions. If an appointment is terminated before the end of the period of appointment, because of financial exigency, or because of the discontinuance of a program of instruction, the released faculty member's place will not be filled by a replacement within a period of two years, unless the released faculty member has been offered reappointment and a reasonable time within which to accept or decline it.

d. Termination of a tenured appointment, or of a term or special appointment before the end of the period of appointment, for medical reasons, will be based upon clear and convincing medical evidence that meets the demands of the faculty's disability program. A faculty member is required to present competent medical evidence of his state of health acceptable to the Academic Vice-President, if the latter so requests. The decision to terminate will be reached only after there has been appropriate consultation and the faculty member or his representative has been informed of the basis of the proposed action, and has been afforded an opportunity to present his position and to respond to the evidence. If the faculty member so requests, the evidence will be reviewed by the Standing Committee on Academic Rank and Tenure before a final decision is made by the Executive Governing Board on the recommendation of the President.

Section 6. Dismissal Procedures.

a. Adequate cause for a dismissal will be related, directly, and substantially, to the faculty member's discharge of the duties specified in Article III. Dismissal will not be used to restrain faculty members in their exercise of academic freedom or other rights of American citizens.

b. Dismissal of a faculty member with continuous tenure, or with a term appointment before the end of the specified term, will be preceded by: (1) discussions between the faculty member and appropriate administrative officers looking toward a mutual settlement; (2) informal inquiry by the elected Committee on Faculty Affairs, which may, failing to effect an adjustment, determine whether in its opinion dismissal proceedings should be undertaken,

without its opinion being binding upon the President; (3) a statement of charges, framed with reasonable particularity by the President or the President's delegate.

c. A dismissal, as defined in Section 6 (a), will be preceded by a statement of reasons, and the individual concerned will have the right to be heard initially by an ad hoc hearing committee composed of three members of the Faculty Affairs Committee. Members deeming themselves disqualified for bias or interest shall remove themselves from the case, either at the request of a party or on their own initiative. Each party will have a maximum of two challenges without stated cause.

(1) Pending a final decision by the hearing committee, the faculty member will be suspended, or assigned to other duties in lieu of suspension, only if immediate harm to himself or others is threatened by his continuance. Before suspending a faculty member, pending an ultimate determination of his status through the University's hearing procedures, the administration will consult with the faculty Committee on Academic Rank and Tenure concerning the propriety, the length, and the other conditions of the suspension. A suspension which is intended to be final is a dismissal, and will be treated as such. Salary will continue during the period of the suspension.

(2) The hearing committee may, with the consent of the parties concerned, hold joint pre-hearing meetings with the parties in order to (i) simplify the issues, (ii) effect stipulations of facts, (iii) provide for the exchange of documentary or other information, and (iv) achieve such other appropriate prehearing objectives as will make the hearing fair, effective and expeditious.

(3) Service of notice of hearing with specific charges in writing will be made at least twenty days prior to the hearing. The faculty member may waive a hearing or may respond to the charges in writing at any time before the hearing. If the faculty member waives a hearing, but denies the charges against him or asserts that the charges do not support a finding of adequate cause, the hearing tribunal will evaluate all available evidence and rest its recommendations upon the evidence in the record.

(4) The committee, in consultation with the President and the faculty member, will exercise its judgment as to whether the hearing should be public or private.

(5) During the proceedings the faculty member will be permitted to have an academic adviser and counsel of his own choice.

(6) At the request of either party or the hearing committee, a representative of a responsible educational association and of the students shall be permitted to attend the proceedings as observers.

(7) A verbatim record of the hearing or hearings will be taken and a typewritten copy will be made available to the faculty member without cost, at the faculty member's request.

(8) The burden of proof that adequate cause exists rests with the University and shall be satisfied only by clear and convincing evidence in the record considered as a whole.

(9) The hearing committee will grant adjournments to enable either party to investigate evidence as to which a valid claim of surprise is made.

(10) The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The administration will cooperate with the hearing committee in securing witnesses and making available documentary and other evidence.

(11) The faculty member and the administration will have the right to confront and cross-examine all witnesses. Where the witnesses cannot or will not appear, but the committee determines that the interests of justice require admission of their statements, the committee will identify the witnesses, disclose their statements and if possible provide for interrogatories.

(12) In the hearing of charges of incompetence, the testimony shall include that of qualified faculty members from this or other institutions of higher education.

(13) The hearing committee will not be bound by strict rules of legal evidence, and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.

(14) The findings of fact and the decision will be based solely on the hearing record.

(15) Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements and publicity about the case by either the faculty member or administrative officers will be avoided so far as possible until the proceedings

have been completed, including consideration by the Executive Governing Board. The President and the faculty member will be notified of the decision in writing, and will be given a copy of the record of the hearing.

(16) If the hearing committee concludes that adequate cause for dismissal has not been established by the evidence in the record, it will so report to the President. If the President rejects the report, he will state his reasons for doing so, in writing, to the hearing committee and to the faculty member, and provide an opportunity for response before transmitting the case to the Executive Governing Board. If the hearing committee concludes that adequate cause for dismissal has been established, but that an academic penalty less than dismissal would be more appropriate, it will so recommend, with supporting reasons.

Section 7. Action by the Executive Governing Board. If dismissal or other severe sanction is recommended, the President will, on request of the faculty member, transmit to the Executive Governing Board the record of the case. The Executive Governing Board's review will be based on the record of the committee hearing, and it will provide opportunity for argument, oral or written or both, by the principals at the hearings or by their representatives. The decision of the hearing committee will either be sustained, or the proceeding returned to the committee with specific objections. The committee will then reconsider, taking into account the stated objections and receiving new evidence if necessary. The Executive Governing Board will make a final decision only after study of the committee's reconsideration.

Section 8. Procedures for Imposition of Sanctions Other than Dismissal.

a. If the administration believes that the conduct of a faculty member, although not constituting adequate cause for dismissal, is sufficiently grave to justify imposition of a severe sanction, such as suspension from service for a stated period, the administration may institute a proceeding to impose such a severe sanction; the procedures outlined in Section 6 shall govern such a proceeding.

b. If the administration believes that the conduct of a faculty member justifies imposition of a minor sanction, such as a reprimand, it shall notify the faculty member of the basis of the proposed sanction and provide him with an opportunity to persuade the administration that the proposed sanction should not be imposed. A faculty member who believes that a major sanction has been incorrectly imposed under this paragraph, or that a minor sanction has been unjustly imposed, may, pursuant to Section 11, petition the Faculty Affairs Committee for such action as may be appropriate.

Section 9. Academic Freedom. As stated in the University Bylaws, Article V, Section 5, all instructional personnel, whether tenured or not, are entitled to academic freedom as set forth in the 1940 Statement of Principles on Academic Freedom and Tenure, formulated by the Association of American Colleges and the American Association of University Professors.

Section 10. Reappointment of Nontenured Faculty. If a faculty member with a term appointment alleges that a decision not to reappoint him was based significantly on considerations violative of (1) academic freedom or (2) provision of the Constitution or laws of the United States or of the State of Minnesota concerning the making of such appointments without discrimination with respect to race, sex, religion or national orgin, the allegation will be given preliminary consideration by the Faculty Affairs Committee, which will seek to settle the matter by informal methods. The allegation shall be accompanied by a statement that the faculty member agrees to the presentation, for the consideration of the faculty committee, of such reasons and evidence as the University may allege in support of its decision. If the difficulty is unresolved at this state, and if the committee so recommends, the matter will be heard in the manner set forth in Sections 6 and 7, except that the faculty member making the complaint is responsible for stating the grounds upon which he bases his allegations and the burden of proof shall rest upon him. If the faculty member succeeds in establishing a prima facie case, it is incumbent upon those who made the decision not to reappoint him to come forward with evidence in support of their decision.

Section 11. Procedures for Redress. If any faculty member judges that another member of the faculty or an administrator has injured him, and other procedures for redress have been exhausted or are unavailable, he may petition the Faculty Affairs Committee. The petition shall set forth in detail the nature of the injury and shall state against whom the complaint is directed. It shall contain any factual or other data which the petitioner deems pertinent to his case. The committee will have the right to decide whether or not the facts merit a detailed investigation. Submission of a petition will not automatically entail investigation or detailed consideration thereof. The committee may seek to bring about a settlement of the issue satisfactory to the parties. If in the opinion of the committee such a settlement is not possible or is not appropriate, the committee will report its findings and recommendations to the petitioner and to the appropriate administrative officer and faculty body, and the petitioner will, at his request, be provided an opportunity to present his case to them.

ARTICLE XII. TERMINATION OF TENURE BY RETIREMENT OR NON-UNIVERSITY EMPLOYMENT

Section 1. Retirement. Tenure terminates at the end of the academic year in which the faculty member reaches the age of sixty-five. Upon recommendation of his departmental chairman, however, and pursuant to the procedures outlined above under Article II, Section 4, he may receive a faculty appointment each year until he is seventy. No faculty appointment, as defined above in Article II, Section

1, will be made after the academic year in which a faculty member reaches the age of seventy. But he may receive an appointment as lecturer on a per course basis under the procedures indicated in Article II, Section 4.

Section 2. Non-University Employment. A tenured faculty member loses tenure ipso facto, unless the Executive Governing Board makes an exception, when he accepts employment which prevents him from carrying at least a half-time University appointment with its corresponding faculty assignment or when he does not in fact carry at least a half-time faculty assignment.

PART THREE

FRINGE BENEFITS

ARTICLE I. TYPES OF FRINGE BENEFITS

Section 1. Members of the faculty and the administration are beneficiaries of the following governmental programs which are not subject to negotiation:

a. Social Security

b. Workmen's Compensation Insurance

c. Unemployment Compensation

Section 2. Members of the faculty and the administration are also beneficiaries of the following negotiable benefits according to their own current schedule:

a. Group Health and Life Insurance

b. Group Total Disability Insurance

c. Retirement Program

d. Tuition Remission

e. Leaves of Absence[1]

f. Vacations

g. Holidays

h. Sick Leave

i. Continuing Education through Conferences and Conventions

j. Course Attendance at Saint John's University or the College of Saint Benedict by any Member or Spouse

k. Attendance at Lectures, Concerts, Plays and Athletic Events

l. Campus Parking

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[1]On the leaves of absence for which administrators are eligible, see above, Part Two, Article X.

m. Use of Recreational Facilities

ARTICLE II. NON-NEGOTIABLE FRINGE BENEFITS

Section 1. Workmen's Compensation Insurance. All members of the faculty and administration are covered by workmen's compensation, the costs of which are borne by the University. Injuries incurred while working for the University should be reported within twenty-four hours.

Section 2. Unemployment Compensation. All members are covered by unemployment compensation, the costs of which are borne by the University.

ARTICLE III. NEGOTIABLE FRINGE BENEFITS

Section 1. Group and Retirement Programs.

a. Group Health and Life Insurance. All full-time members of the faculty or administration may participate in the group health and life insurance program maintained by the University, which bears approximately half the cost of this program.

b. Group Total Disability Insurance. After one year of service all full-time members are covered by group total disability insurance through the Teachers Insurance Association of America (TIAA). The entire cost of this program is borne by the University.

c. Retirement Program. After a five-year waiting period, which may be reduced in individual cases, all members are eligible to participate in TIAA/CREF (Teachers Insurance Association of America/College Retirement Equities Fund) or in the Saint John's University Retirement Plan. The University will contribute five percent (5%) of the participant's salary to either fund annually. Members of the faculty or administration prior to 1 July 1971 may retain the special options offered them at that time in the Saint John's University Retirement Plan.

Section 2. Educational Opportunities.

a. Tuition Remission. The sons and daughters of all full-time members of the faculty or administration may participate in the University's program of tuition remission. The University will pay tuition charges, exclusive of activities fees, at the post-secondary educational institution of their choice, in an amount not to exceed the current tuition of Saint John's University.

b. Enrollment in Courses as Auditors or for Credit. A full-time member of the faculty or administration and his or her spouse may, with the instructor's approval, attend any class without charge as an auditor. Each academic term they may enroll for credit as regular or special students in one course of from one to four credits without charge.

c. Conferences and Conventions. Members of the faculty and administration who are asked by the President or one of the Vice-Presidents or deans to represent the University at a conference, convention, meeting or academic occasion will normally be reimbursed for reasonable travel expenses incurred. When they are to represent their department at such meetings, the recommendation is made to the Academic Vice-President by their chairman.

Section 3. Faculty members and administrators and their families will be admitted without charge to lectures, concerts, plays and athletic events sponsored by the University.

PART FOUR

UNIVERSITY FACULTY ASSEMBLY

ARTICLE I. SCOPE

Section 1. As provided in the University Bylaws, Article VI, Paragraph 1: "Among the constituencies" comprising the University community--namely, faculty, students, administration and staff--"the primary obligation for academic affairs rests with the faculty" (cf. ibid., Article IV, Sections 1-4).

Section 2. The faculty as a whole carries forward its obligation with respect to academic affairs chiefly in the University Faculty Assembly. In keeping with the general principle of governance provided in the Bylaws, however, "The principle of consulting all constituencies within the University in deliberative matters will be followed to the extent reasonable and feasible" (Article VI, Paragraph 1).

ARTICLE II. FUNCTION

Section 1. The University Faculty Assembly shall have and perform the following functions and responsibilities:

a. In consultation especially with the administration, it shall determine and prescribe new academic and curricular programs and substantial alterations in existing programs.

b. It shall prescribe admission standards as well as graduation requirements for the various academic degrees.

c. It shall provide for all matters dealing with the relationship between faculty and students.

d. It shall participate, by resolution or otherwise, in determining major educational policy affecting the overall purposes of the University.

e. It shall discuss and give formal expression to its deliberations on any issue within the scope of its concern and interest.

f. It shall determine by vote its own rules of procedure, subject to the current provisions of the Statutes and Bylaws of the University and the stipulations of this Handbook.

Section 2. The University Faculty Assembly may designate ad hoc committees to assist it in its deliberations.

Section 3. Except for those student or staff participants and administrative appointments or ex officio memberships specified below in Part Five, the assembly shall nominate and elect the members of all standing councils and committees from its own number.

ARTICLE III. MEMBERSHIP

Section 1. For the purpose of determining quorum and eligibility for formal participation in the University Faculty Assembly, a member shall be any person who holds a faculty appointment, as specified in Article V, Section 1, of the University Bylaws and in Part One, Article II and Article III, Sections 1 and 2, and in Part Two, Article II, Sections 1 and 2, of this Handbook, or holds one of the following administrative positions: Vice-President for Student Affairs, Vice-President for Administrative Services and Development, Registrar, Director of the Library, Director of Admissions, Director of Counseling; or any administrator who has received faculty status through the procedure indicated in Article V, Section 2, of the University Bylaws. Adjunct appointees, visiting or exchange professors, and lecturers are welcome at the Faculty Assembly as guests but do not hold formal membership.

Section 2. All members, as defined in Section 1 of this article, shall have the right to vote on any motions presented at regular and special assembly meetings and to serve on any standing or special committees and councils authorized by this Handbook or in accordance with its provisions.

Section 3. Other administrators, members of the staff, and students, belonging as they do to the academic community, are entitled to attend meetings of the assembly and to take part in its discussions. However, they may not vote or introduce business.

ARTICLE IV. OFFICERS

Section 1. As provided in Article III, Number 9, of the University Bylaws, the President shall "serve as ex officio chairman of the faculty," convening and presiding at all sessions of the University Faculty Assembly. In his absence the Academic Vice-President shall be chairman. The chairman may delegate the responsibility of presiding to the vice-chairman.

Section 2. The assembly shall annually elect one of its members to serve as vice-chairman.

ARTICLE V. QUORUM

A third, plus one, of the certified members of the assembly, as defined in Article III, shall constitute a quorum for the purpose of conducting official business.

ARTICLE VI. FACULTY FORUMS

Section 1. Faculty Forums are nonbusiness meetings of the University faculty at which pending issues are discussed. Formal action may only be taken at subsequent assembly meetings. The purpose of Faculty Forums is to prevent precipitous action and to provide occasion for adequate deliberation.

Section 2. For Faculty Forums, officers are the same as provided for the Faculty Assembly in Article IV, above.

Section 3. The only deliberative action that can be taken at a Faculty Forum is the introduction of new agenda. A Faculty Forum cannot either by decision of the chairman or by any vote of those assembled constitute itself a Faculty Assembly.

Section 4. Special meetings of the Faculty Forum may be called by the President or on the petition of at least ten percent of the certified members.

ARTICLE VII. FACULTY ASSEMBLY MEETINGS

Section 1. Regular meetings of the University Faculty Assembly shall ordinarily be called by the President each month of the academic year.

Section 2. At Faculty Forums or at least forty-eight hours before the next Faculty Assembly, certified members will receive from the secretary a copy of that assembly's agenda together with the previous official minutes. Where questions to be discussed have been studied by councils or committees, copies of such reports as these bodies have prepared shall be distributed with the agenda and minutes.

Section 3. The agenda for regular meetings of the assembly will be set by the elected faculty representatives on the President's Council and the officers of the University Faculty Assembly, who shall meet for this purpose.

Section 4. The agenda topics scheduled for formal action at the University Faculty Assembly shall first be discussed at a Faculty Forum. This rule may be suspended by a two-thirds vote of the total membership of the Assembly.

Section 5. New agenda items may also be proposed at the University Faculty Assembly by any member or members. At least ten percent of the members present must approve the item which will then be scheduled for discussion at a Faculty Forum, and for action at a subsequent University Faculty Assembly. This procedure may be suspended as provided in Section 4.

Section 6. Special meetings of the Faculty Assembly may be called by the President or on the petition of at least ten percent of the certified members. For official action to occur, written notice of a special meeting and of its agenda must be given at least forty-eight hours before the meeting is to be held. Special

meetings are bound by the provisions of Section 4, above.

ARTICLE VIII. ELECTIONS TO COUNCILS AND COMMITTEES

Section 1. Certified members may represent the assembly by serving specified terms on standing or special committees and councils. Ordinarily, those serving shall be chosen at the final meeting of the academic year and shall assume their posts at the beginning of the following year.

Section 2. Voting shall be by secret ballot.

Section 3. The procedure for election to councils and committees shall be as follows:

a. The assembly as a whole shall serve as a nominating committee. Every certified member shall receive a nominating ballot from the President and shall submit no more than two names for each council or committee.

b. The six names receiving the largest number of nominations to each council or committee shall then be submitted to the assembly as the slate of candidates.

c. Every certified member shall vote by ballot for all of the six nominees to each council or committee in the order of preference, numbering his first choice 1, his second choice 2, etc. The nominees receiving the lowest totals shall be declared elected to fill vacancies on each council or committee.

d. Candidates may be nominated from the assembly floor, provided that the nomination is seconded.

e. No individual member of the assembly may be required to serve concurrently on more than one standing committee or council.

f. The Faculty Assembly will set staggered terms for the elected faculty members on the Vice-Presidents' Advisory Councils and the President's Council.

ARTICLE IX. ADMENDMENTS TO ASSEMBLY PROCEDURES

Procedures relative to the conduct of the University Faculty Assembly other than those here specified may be amended at any meeting called for this purpose. Proposed amendments shall be submitted in writing to all certified members at least one week before the meeting.

ARTICLE X. PARLIAMENTARY AUTHORITY

Sturgis's Standard Code of Parliamentary Procedure shall be the parliamentary authority of this body, subject to special rules that have been or will be adopted.

PART FIVE

UNIVERSITY COUNCILS AND COMMITTEES

ARTICLE I. OBJECTIVES

Section 1. Saint John's University is concerned with opening the process of decision-making to the participation of all its members, so that the faculty, the students, the administration and the staff will all have a voice in vital community issues. This is the purpose and function of University councils and committees, whose role it shall be to draft proposals and present them to one or more of the following groups: the University Faculty Assembly, the Student Executive Council, the administrators, Saint John's Abbey-University Employees Guild, and finally to the Executive Governing Board, if its approval is required.

Section 2. At the same time, council and committee assignments should be kept to a reasonable minimum in order to insure that teaching and scholarly pursuits, and staff work, which are the members' primary responsibilities, do not suffer. Specifically, councils and committees should be broadly representative of the various constituencies of the University, as provided in Article VI of the University Bylaws. They should, however, be as compactly organized as possible, and the number and length of their meetings should be determined by the seriousness and complexity of the business entrusted to them.

ARTICLE II. ESTABLISHMENT OF COUNCILS AND COMMITTEES

Section 1. Standing councils or committees other than those here specified may be established only with the approval of a majority vote of the University Faculty Assembly and the Executive Governing Board. The Assembly shall regularly review the effectiveness of existing councils and committees and report its recommendations to the Executive Governing Board.

Section 2. When a new standing council or committee is proposed to the Faculty Assembly, the proposing group shall also indicate the manner in which membership is to be decided--namely, by appointment or by election or by a combination of the two. The manner of deciding membership shall then be recommended by the assembly's vote.

Section 3. Any group that shares in the governance of the University is free to create ad hoc committees or subcommittees that may prove necessary for the transaction of its business. Their existence terminates upon completion of their assigned task.

ARTICLE III. MEMBERSHIP ON COUNCILS AND COMMITTEES

Section 1. A full-time faculty member is normally not required to serve on more than one standing council or committee. He has the right to refuse more than one

such appointment or election.

Section 2. No student shall be required to serve on any council or committee.

Section 3. No guild member shall be required to serve on more than one council or committee.

ARTICLE IV. OPERATING PRINCIPLES

Section 1. The advisory councils have several roles.

a. In a strictly advisory capacity they discuss concrete proposals set before them by the administrator and his staff, then judge on the practicability and desirability of such proposals for presentation to the student community, or the Student Executive Council, the University Faculty Assembly, the Abbey-University Employees Guild, and, if necessary, the Executive Governing Board. They are, for example, to review and offer recommendations on budgetary planning, day-to-day problems and operations, future programs, policy formulation, and staff or administrative vacancies in their respective areas.

b. They each serve as a clearing house for other campus groups, who are free to direct proposals to them for fact-finding and further development in terms of a given council's specific competence and responsibility.

c. They also function as advisory bodies to the University Faculty Assembly, when dealing with matters that are of traditional or natural concern to the faculty in the realm of academic, student or financial affairs.

d. They may also serve in matters delegated to them by the Faculty Assembly as deliberative bodies.

e. The faculty members on the Vice-Presidents' Advisory Councils will serve as an ad hoc budget committee to review the consolidated University budget and report to the President's Council and the Faculty Assembly.

Section 2. Faculty committees are primarily responsible to prepare concrete proposals, programs and policies for deliberation and enactment by the University Faculty Assembly, the student community, or the Student Executive Council, the Abbey-University Employees Guild, administrators, and/or the Executive Governing Board.

ARTICLE V. VOTING AND QUORUM

Section 1. All members of a council or committee shall vote on whatever matters are presented for their advice or deliberation, unless the contrary is expressly provided. The chairman will not vote unless called upon to break a tie.

Section 2. Within councils or committees a quorum shall consist of more than half of the appointed and elected membership.

ARTICLE VI. MINUTES OF MEETINGS

Councils and standing committees of the University shall multiply copies of minutes for distribution to the members. The secretary shall always forward six copies to the Academic Vice-President's Office.

ARTICLE VII. ORGANIZATION OF COUNCILS AND COMMITTEES

Section 1. The Three Vice-Presidents' Advisory Councils.

a. Each vice-president shall have an advisory council broadly representative of the various constituencies within the University community. The respective vice-president is ex officio chairman of his advisory council.

b. These councils shall be known as:

(1) Academic Affairs Advisory Council;

(2) Student Affairs Advisory Council;

(3) Administrative Services and Development Advisory Council.

c. There shall be nine members in each, distributed as follows:

(1) Two faculty members elected by the faculty;

(2) Two students;

(3) One member elected by the Abbey-University Employees Guild;

(4) Three members appointed by the respective vice-presidents from their principal constituencies--i.e., for the Academic Affairs Advisory Council, faculty; for the Student Affairs Advisory Council, students; for the Administrative Services and Development Advisory Council, administrators.

(5) One nonvoting representative of the alumni.

d. These councils shall endeavor to conduct as much of their business as possible within their respective memberships. They shall each have the authority, however, to establish ad hoc committees and even, with the approval of the University Faculty Assembly and the Executive Governing Board, such standing committees as they may find necessary.

Section 2. The President's Council.

a. The President shall be assisted in an advisory capacity by the President's Council, of which he is ex officio chairman.

b. Besides being representative of the various constituencies of the University, the President's Council shall also draw some of its members from such off-campus constituencies as the Alumni Association and the Parents' Council.

c. This council shall be composed of fourteen members who shall be the Academic Vice-President, the Vice-President for Student Affairs, the Vice-President for Administrative Services and Development, the Associate Vice-President for the College, the Graduate Dean, and the Dean of the Divinity School, all ex officio; four members elected from the faculty; two students (one undergraduate, one representing the divinity and graduate schools); and two representatives of the University's other constituencies at the discretion of the President.

d. After major policy decisions have been studied and recommendations made in the appropriate advisory council, these shall normally be submitted to the President's Council and then, as may be required, brought to the University Faculty Assembly.

e. The Academic Vice-President is vice-chairman of the President's Council.

Section 3. The University shall have three standing Faculty Committees:

a. Committee on Academic Rank and Tenure;

b. Committee on Faculty Affairs;

c. Committee on Graduate Studies.

ARTICLE VIII. STANDING COUNCILS: SPECIFIC DUTIES AND FUNCTIONS

Section 1. The Academic Affairs Advisory Council has both deliberative and advisory functions. It is the principal University council dealing with all aspects

and details of academic policy. It advises the Academic Vice-President in any matter that relates directly or indirectly to his area of responsibility as set forth in the Statutes of the University, the University Bylaws and this Handbook.

a. The AAAC reviews the proposed annual academic affairs budget and makes recommendations to the Academic Vice-President.

b. The Academic Vice-President will consult with the council on academic proposals, which are then presented to the President's Council and the University Faculty Assembly for action.

c. The AAAC has the authority to approve Curriculum and Program Development proposals on an experimental basis for a period of up to three years, and to authorize the funding of such proposals. It is also responsible for determining appropriate evaluation of all experiments and innovations approved by it.

d. Proposals for the addition and elimination of courses require the approval of the council. Such proposals are discussed by the full council but only faculty members will vote upon them.

e. Recommendations for new programs and degrees must come through the council.

f. Annual provision as to the number, distribution and designees of leaves of absence rests with the council.

g. The Academic Vice-President is chairman of the AAAC and presides at meetings. The Associate Vice-President serves in his absence.

Section 2. The Student Affairs Advisory Council shall assist the Vice-President for Student Affairs in developing budget recommendations and assessing prospective administration appointments and pending decisions for his area, evaluating programs, and recommending policies and proposals that concern the needs and life of students to the appropriate decision-making body. Meetings shall be held at least twice a month or more often if occasion requires. All matters shall be brought before the council which in the Vice-President's judgment require discussion; but any member of the council shall be free to contribute to the agenda. The director of student activities shall serve as vice-chairman of the council.

Section 3. The Administrative Services and Development Advisory Council shall assist the Vice-President for Administrative Services and Development in the capacity of a management and planning committee, weighing the advisability of proposed policies, recommendations or requirements, or of new research and development programs. The members shall offer their considered judgment for

shaping long-range, short-term, and specific or emergency business-planning with a view to developing staff cooperation and morale; for determining basic objectives and policies in the areas of financing, purchasing and management, as well as the broad plans for attaining these objectives. They shall evaluate operating objectives and expense budgets, review consolidated budgets and make recommendations regarding them, authorize changes in approved budgets, and bring rounded judgment to bear on problems of supervision, appropriate standards and measurements of performance.

Section 4. The President's Council shall undertake a general review of the budget and shall consider and make recommendations to the President regarding the following matters:

a. All major University policies and planning in the areas of academic affairs, student affairs, and administrative services and development;

b. University business to be taken up by the Executive Governing Board and the Board of Regents;

c. Major recommendations received from the vice-presidents and their advisory councils.

This council shall advise the President and be advised by him on matters relating to the welfare of the University. The faculty members of the President's Council shall, together with the officers of the University Faculty Assembly, serve as the agenda committee for the Faculty Forum and the University Faculty Assembly.

ARTICLE IX. STANDING COMMITTEES: MEMBERSHIP AND FUNCTIONS

Section 1. The Committee on Academic Rank and Tenure.

a. The Rank and Tenure Committee shall be composed of six tenured faculty members and, ex officio, the Academic Vice-President.

b. Faculty members shall be elected to the committee by the University Faculty Assembly from any division or school of the University; department chairmen are ineligible for membership. The term of service shall be three years, with two faculty members elected each year.

c. The chairman shall be elected annually from among the six elected faculty members. He shall be responsible for reporting committee proposals and recommendations to the President, or to the University Faculty Assembly in matters which the assembly has specially delegated to the committee, and for replying in the committee's name to inquiries or appeals from the faculty.

d. The functions and duties for which the committee is responsible to the President are:

(1) To formulate salary scales for the next academic year in consultation with the faculty itself in informal gatherings and with the Vice-President for Administrative Services and Development;

(2) To formulate and recommend policies for promotion, tenure and termination of appointments, even tenured appointments, for reasons of financial exigency or by dismissal;

(3) To recommend or disapprove any promotions in rank or advancement to tenure for faculty members as well as the awarding of faculty status to any of the University's professional personnel as provided for in Article V, Section 2, of the University Bylaws;

(4) To act as a board of appeals to hear grievances with respect either to deemed salary inequities or to matters included in Number 2 above, with the exception of dismissal proceedings, as provided in Part Two, Article XI, Section 6;

(5) To authorize the presentation of appeals to the President.

Section 2. The Committee on Graduate Studies shall consist of three faculty members from Saint John's University (and three from the College of Saint Benedict), with the Graduate Dean as ex officio chairman. The committee shall evaluate the effectiveness of current programs and personnel and recommend new programs and changes in course offerings, submitting its reports to the Academic Vice-President (of each institution) for further action as may be appropriate. Departments offering graduate instruction will propose candidates for the committee to the Academic Vice-President(s) who in consultation with the Graduate Dean will select three for appointment (from their respective faculties).

Section 3. The Committee on Faculty Affairs.

a. As a community Saint John's University pursues its educational goals in a spirit of friendship and mutual concern. The role of the Faculty Affairs Committee is to conciliate perceived and alleged injustices as these affect the lives and professional activities of University faculty and administrators.

b. The University Assembly will elect a panel of six members to serve for a period of one academic year.

c. Persons bringing an action before the Faculty Affairs Committee will have the option of choosing any three members on the panel to serve as the committee in their particular instance.

d. The Faculty Affairs Committee will conduct its inquiries within a period not to exceed two weeks. It will render its report to such persons, officers or groups as it shall deem most appropriate.

APPENDIX

I. SUPPLEMENTARY DOCUMENTS

THE CONSTITUTION AND LAWS OF SAINT JOHN'S UNIVERSITY

The following documents, identified above in "What Is Saint John's? -- Its Corporate and Institutional Structure," form the constitutional and legal framework, both secular and religious, within which Saint John's University operates:

(1) The Charter, or Articles of Incorporation, enacted as a Special Law of Minnesota in 1857, will be found first among the Supplementary Documents, together with its subsequent Amendments. From this document the Corporation known as the "Order of Saint Benedict, Collegeville, Minnesota," and the University which it was thereby authorized to establish and conduct, derive their fundamental orientation and character as civil institutions.

(2) The Bylaws of the Corporation "Order of Saint Benedict, Collegeville, Minnesota," last adopted on 18 March 1919, would follow immediately after the Charter. Specifically including as they do the Code of Canon Law and the Rule of Saint Benedict with its approved modifications, yet acknowledging the primacy of the Gospel and the Spirit as the Christian law of life, these Bylaws serve as the spiritual equivalent of both a constitution, a general code of laws, and a relatively permanent collection of rules, together structuring the Benedictine religious life of Saint John's Abbey. As a major and historic part of the Corporation Bylaws, the Rule of Saint Benedict, a sixth-century document, is included as a pamphlet insert in the ring-binder pocket.

(3) The Statutes of Saint John's University, approved by the Corporation in 1970, are here reprinted in full. Building on the very flexible guidelines of the Charter, the Statutes place Saint John's University within a stable framework of corporate law and define the relationship of the University division to its parent body, the Order of Saint Benedict, Collegeville, Minnesota. They identify the University's essential activities and scope and provide for its general organization and form of government.

(4) The Bylaws of Saint John's University follow next. Approved in their 1973 reformulation by the University's Board of Regents and Executive Governing Board, these Bylaws are a set of rules outlining the internal organization of the University and prescribing its manner of operation within the ambit of its Benedictine heritage and in response to contemporary opportunities and community needs, both local, regional and international.

(5) The present Handbook for Faculty and Administration, which is a manual of University governance, applying in detail the general

norms or principles and the basic policies contained in the Charter and Bylaws of the Corporation and in the Statutes and Bylaws of the University, was prepared and endorsed by the University faculty and administration and on 6 November 1973 was approved by the Executive Governing Board.

(6) Still more specific and subject more readily to modification are the Current Procedures found in the next division of this Appendix, below.

THE CHARTER, OR ARTICLES OF INCORPORATION, AND THE SUBSEQUENT AMENDMENTS

THE ORIGINAL CHARTER OF 1857

Introduction. As the fundamental law of the Minnesota Corporation "Order of Saint Benedict" and of Saint John's University, the Charter Act passed by the Territorial Legislative Assembly less than a year after the first five Benedictine pioneer-founders had arrived in Minnesota, and a year before Minnesota was admitted to statehood, is a document of sufficient importance and interest to merit publication of its original text and that of its four Amendments with an accuracy and authenticity, free of editorial emendation, that have become standard in the citation of historical documents.[1] Authentic documentation is, in fact, the only reason for publishing the "original" Charter and its four Amendments, rather than our actual Charter as amended in 1864, 1869, 1872 and 1883. Thus Saint John's true Charter title is "University," not "Seminary" -- a word stricken from the text of the Charter by the 1883 Amendment as well as from its title, to be replaced by the word "University."[2]

The edition of the Charter given below is based on three official copies certified in Saint Paul by the Office of the Minnesota Secretary of State, or by its Territorial predecessor, as true, correct and complete copies of the original on file there; but also, secondarily, on the original Charter Bill introduced into the Legislative Assembly.

Of the three official transcripts, Copy I was dated 10 March 1857, four days after the Charter was enacted. Whether the blue document in the Saint John's Abbey Archives bearing this date is the certified copy it appears to be, transcribed and signed by Acting Secretary I. I. McCullough, is open to question. (The copy is actually dated 10 March 1856! -- presumably a slip of the pen for 10 March 1857 in a manuscript otherwise prepared with meticulous care; it does not have or mention an affixed seal, which the "new but flourishing Territory" of Minnesota may, of course, not have had; and its blue paper is watermarked

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[1] The other Supplementary Documents, which are either very recent or, in the case of the Corporation Bylaws, relatively recent and in the process of being thoroughly revised, have been published here in a form editorially consistent with the rest of the Handbook.

[2] In the Saint John's Abbey Archives there is a handwritten copy of just such a comprehensive, or "actual," Charter entitled "An Act to incorporate the St. John's University." Drawn up on campus, and therefore unofficial, it probably dates back to the late nineteenth century when the amendment process was complete. These and the other extant copies of the Charter Act and the Charter Bill were made available by Father Christopher Bayer, O.S.B., Abbey Archivist.

"CHARRIS 1861," which, if a datemark, would preclude authenticity as an official transcript.) This three-page document opens with the headings "Laws of Minnesota. / Chapter XLVII"; then, between the title "An Act to..." and the text "Be it enacted...," there is a title summary of each of the ten sections.

The next official manuscript, Copy II, also in the Abbey Archives and dated 15 May 1861, was copied, signed and certified by Assistant Secretary of State I. E. Snow, who affixed to it the Great Seal of the State of Minnesota. This five-page document begins directly with the title "An Act...," which is not followed by the ten title summaries found in Copy I.

The third official transcript, Copy III, dated 18 March 1919, is now inaccessible. But there are four typewritten copies of it, two available in their original typescript (III:1 and III:2, of four and three pages' length respectively and both bearing the superadded title "The Original Charter of St. John's Abbey and University / March 6, 1857 / With Subsequent Amendments / 1864, 1869, 1872, 1883"), two only in xeroxed facsimile (III:3 and III:4, five pages of double space, and three pages of single space notarized, both lacking any general title).

Comparison of these four derivatives indicates: (1) that Copy III contained the four Amendments as well as the Charter; (2) that in Copy III, as in Copy I, the official title of each Act ("An Act to...") was preceded by the heading "Chapter..." in Roman numerals (every year the chapter-numbering of the Special Laws of Minnesota began afresh), and was followed by title summaries of as many sections as the respective Act contained; (3) that the Third (1872) Amendment's revision of the financial limitations specified in Section 4 of the Charter was followed in Copy III by the notation (given below in footnote 7) citing Minnesota Statutes 309.07, which had removed any such limitation in the case of incorporated educational institutions; (4) that, to judge from the form and content of its separate page of authentication, signed and sealed by Secretary of State Julius A. Schmahl to certify "the annexed copy" as a true and complete transcript, Copy III was, like that appended page, typed by a stenographer in the Secretary's Office, not handwritten like its predecessors; (5) that the Charter signers were not named.

For Amendments 1, 3 and 4 the Abbey Archives provide handwritten evidence much earlier than Copy III. There is a certified two-page copy of the First (1864) Amendment, dated 20 June 1868, which was transcribed, signed and sealed by Secretary of State H...Rogers; and a certified two-page copy, dated 30 May 1883, of the Fourth (1883) Amendment, which was personally signed and sealed by Secretary of State Fred...Baumbach; also an unofficial copy of the Third (1872) Amendment, made with evident care, but without signature, date of preparation, or certification.

For the Charter itself, finally, there is the indirect textual witness of a unique source mentioned above -- an official printed copy, in the Abbey Archives, of the original Charter Bill introduced into the Minnesota House of Representatives on 22 January 1857 as Bill Number 70 by John L. Wilson of Saint Cloud,

representative from the Fifth District. Under a general heading conveying in substance the above information, this three-page document, doubtless prepared for the legislators in the House and Council of the Assembly, bore the title "A Bill / For an Act to Incorporate the St. John Seminary." It opened with the following preamble, which is not part of the enacted Law given in the three official copies discussed earlier, but was conflated with the Charter Act in Copy III:1 under the title "A Bill" and from there was inserted in Copy III:2 without that title. It reads:

> Whereas, It is highly important, that the youths of this new, but flourishing Territory, be not only instructed in the elementary sciences, but moreoever, be also educated by sound, moral principles;
>
> And, Whereas, It is very desirable, that there be a corporation formed, in order to establish a scientific, educational and ecclesiastical institution;
>
> In consideration thereof,
> Be it enacted by the Legislative Assembly....

The Bill must have been printed very carelessly, however -- since it is difficult to assume that Mr. Wilson had misspelled the names of four persons especially well known to him. At any rate, the Bill proves on close examination to be the chief source not only of the substance of the Act which followed, though several sections were modified before passage, but also of its errors and inconsistencies -- such as, in Section 1: Demitri Marogna, for Demetrius di Marogna; Wittman for Wittmann; Brune Riss, for Bruno Riess; in Section 2: Rothkopss' Addition, for Rothkopp's or at least Rothkopps' Addition; also "the St. John Seminary" in the title, but "St. John's Seminary" in Sections 2 and 6, leading to unpredictable variations in the subsequent Amendments. More important, perhaps, is the misleading title of the Charter, since the Act did not incorporate "the St. John Seminary" but the "Order of St. Benedict," which was "authorized to establish...St. John's Seminary" (Sections 1-2).

An Act
To incorporate the St. John Seminary.[3]

Section 1. Incorporation and name of Society.
2. Object of the Society.
3. Officers of the Society.
4. Powers of the Corporation.
5. Management of Donations.
6. Power to expend for Erection of Buildings.
7. Power to enact By-Laws.
8. Exemption from Taxation.
9. Right of Inspection.
10. Take effect.

Be it enacted by the Legislative Assembly of the Territory of Minnesota:

Section 1. That the members of the religious order of St. Benedict, Demitri Marogna, Cornelius Wittman, Brune Riss, Alexius Roetzer, and their associates and successors in office, which order is instituted for scientific, educational and ecclesiastical purposes, be a body corporate and politic, to be known by the name and style of "Order of St. Benedict," and by that name shall have perpetual succession.

Sec. 2. The principal object of this politic and corporate body shall be the promotion of the instruction and education of youths, to the acquirement of which end the corporators named in the act shall be hereby authorized to establish and erect an institution, or seminary, in Stearns county, on that portion of St. Cloud City, surveyed, platted and recorded as Rothkopss' Addition to St. Cloud, to be known by the name and style of "St. John's Seminary."

Sec. 3. This institution shall be under the supervision of said order of St. Benedict in Minnesota, and shall be conducted by a President, Secretary and Procurator, which offices the corporators shall hold for the first time themselves, after whose retirement from office the new officers shall be appointed by the Superiors of said order in Minnesota. The herein named officers shall also always act as Trustees of said Seminary.

Sec. 4. This politic and corporate body shall be empowered, by its representatives, with the rights as such, of suing and being sued, of contracting and being contracted with, of purchasing, holding and selling real and personal estate, of making and using a common seal, and altering the same at pleasure: Provided, That such property, including real, personal and mixed, shall not exceed in the aggregate the sum of one hundred thousand dollars.

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[3]Special Laws of Minnesota, 1857: Chapter 47.

Sec. 5. The above named corporators, and their successors in office, shall be managers of said sums of money, real estate or goods, that may be donated or willed for the purposes of this corporation.

Sec. 6. The proceeds of all donations of whatever nature and whatever source, shall be and remain a perpetual fund, and shall be called "the St. John's Seminary fund." The trustees of this Seminary are authorized and empowered to expend such portions of the fund as may come under their control, in the erection of suitable buildings, and for the purchase of every kind of scientific apparatus, such as they may deem expedient for the object of said institution.

Sec. 7. The said trustees shall have power to enact by-laws for the government and regulation of the said Seminary, to appoint and employ teachers, to define their duties, and to determine the amount of their respective salaries; and no student shall be required to attend the religious worship of any particular denomination, except as specified by the student, his parent or guardian.

Sec. 8. That the real estate and personal property of said corporation shall be exempt from taxation, as long as the same shall be used, conducted and employed for the purposes defined in this act.

Sec. 9. That the Catholic Bishop, Cretin, of St. Paul, and his successors in office, shall exercise according to the rules of the Catholic Church, the right of inspection of said institution.

Sec. 10. This act shall take effect and be in force from and after its passage.

J. W. Furber
Speaker of the House of Representatives

John B. Brisbin
President of the Council

Approved--March sixth, eighteen hundred and fifty-seven.

W. A. Gorman
[Territorial Governor]

THE FIRST AMENDMENT: 1864. LOCATION

An Act
To amend an act to incorporate the St. John's Seminary, approved March sixth, eighteen hundred and fifty-seven.[4]

Section 1. Amendment to Section two. Object of said institution.
2. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. That section two of an act to incorporate the St. John's Seminary be and the same is amended so as to read as follows:

Section 2. The principal object of this politic and corporate body shall be the promotion of the instruction and education of youths, to the acquirements of which end the corporators named in this act shall be hereby authorized to establish and erect an institution or seminary in Stearns county to be known by the name and style of St. John's Seminary.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved February 6, 1864.

THE SECOND AMENDMENT: 1869. ACADEMIC DEGREES

An Act
To authorize the Trustees of Saint John's Seminary to confer degrees and grant diplomas.[5]

Section 1. Board of Trustees to have the power to confer degrees and grant diplomas.
2. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. That the board of trustees of Saint John's Seminary shall have the power to confer such degrees and grant such diplomas in their discretion as are usual in colleges and universities.

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[4]Special Laws of 1864: Chapter 89. The reason for securing this Amendment was to be free to abandon the litigated land claims in Saint Cloud and build the school elsewhere; the original Charter had specified a definite locality.

[5]Special Laws of 1869: Chapter 133.

Section 2. This act shall take effect immediately.

Approved March 5, 1869.

THE THIRD AMENDMENT: 1872. MAXIMUM INCOME

An Act
To amend Section four of an act entitled An Act to incorporate the St. John Seminary, approved March 6th, A.D. 1857.[6]

Section 1. Amendment to section 4, relating to corporate rights.
2. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota:

Sec. 1. That section four of an act entitled "An Act to incorporate the St. John Seminary," approved March 6th, A.D. 1857, be and the same is hereby amended so as to read as follows:

Sec. 4. This politic and corporate body shall be empowered by its representatives, with rights as such as suing and being sued, of contracting and being contracted with, of purchasing, holding and selling real and personal estate, of making and using a common seal and altering the same at pleasure; provided always, that the annual income of said corporation shall not exceed the sum of sixty thousand dollars.[7]

Sec. 2. This act shall take effect and be in force from and after its passage.

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[6]Special Laws of 1872: Chapter 121. However restrictive the financial limitations of this amendment, later removed, may now appear, its authorization of an annual tax-exempt income of $60,000 was considerably more liberal than the original provision of Section 4, which had limited the institution's aggregate holdings (i.e., net worth) to $100,000.

[7]By virtue of the provisions of Minnesota Statutes 309.07, the financial limitation prescribed in this section of the Articles of Incorporation was removed. M.S. 309.07 reads as follows:

Any educational institution created and existing under or by virtue of any law of the State or Territory of Minnesota is hereby authorized and empowered to take, hold, receive, and enjoy all property and money given, bequeathed, devised, conveyed, or transferred to it and to hold, use, and enjoy the profits, rents, and income therefrom, notwithstanding any limitation in the laws or charters by or under which such educational institutions were incorporated, or any amendments thereto.

Approved February 29, 1872.

THE FOURTH AMENDMENT: 1883. NEW TITLE

An Act
To amend the act entitled "An Act to incorporate the St. Johns Seminary" and the acts amendatory thereof.[8]

Be it enacted by the Legislature of the State of Minnesota:

Section One. That the act entitled "An Act to incorporate the St. Johns Seminary, approved March sixth A. D. One Thousand Eight hundred and fifty seven as well as the several acts amendatory thereof and the title to the original act of incorporation be and the same are hereby amended as follows:

That wherever the word "Seminary" occurs in either thereof the same be stricken out and the word "University" be substituted in lieu thereof.

Section Two. That all acts and parts of acts inconsistent with this act be and the same are hereby repealed.

Section Three. This act shall take effect and be in force from and after its passage.

Approved February 17th A. D. 1883.

[8]Special Laws of 1883: Chapter 85. This Amendment carried no title summaries.

STATUTES OF SAINT JOHN'S UNIVERSITY

ARTICLE I. ESTABLISHMENT, AIM AND ESSENTIAL PRINCIPLES

Section 1. Establishment. Saint John's University, Collegeville, Minnesota, is operated, as authorized, within the corporate structure of the Order of Saint Benedict, a Minnesota corporation chartered by the legislative enactment in Chapter 47, Laws of 1857, as amended in Chapter 89 of Laws of 1864, Chapter 133 of Laws of 1869, Chapter 121 of Laws of 1872, and Chapter 85 of Laws of 1883. In the present Statutes the Order of Saint Benedict, Incorporated, will be referred to as the Corporation.

Section 2. Aim. The aim of Saint John's University is to promote the intellectual and spiritual growth of persons who can contribute with wisdom to the welfare of society and the advancement of knowledge.

Section 3. Essential Principles.

a. Saint John's University is an educational institution supervised and conducted by the Benedictine monks of the Order of Saint Benedict of Saint John's Abbey, Collegeville, Minnesota. The members of the Board of Regents and the Executive Governing Board, created by, and operating Saint John's University under these Statutes, are called upon to acknowledge and act upon the principle that the University's operation will be conducted in harmony with the history and tradition of the institution.

b. In order to continue the tradition of Saint John's University as a Benedictine institution, as many members of the Benedictine community of Saint John's Abbey, Collegeville, Minnesota, should be active in academic, administrative and other roles at the University as their talents and training permit.

ARTICLE II. ORGANIZATION

Section 1. Major Boards. Under the sponsoring supervision of the Order of Saint Benedict, the Corporation, its Board of Directors, officers and Chapter, Saint John's University shall be operated under the guidance and control of two major boards: the Board of Regents and the Executive Governing Board.

Section 2. Election to the Executive Governing Board. The Board of Regents and the Chapter of the Order of Saint Benedict shall each elect four members of the Executive Governing Board, as provided below. The Executive Board of the Saint John's University Alumni Association shall elect one member of the Executive Governing Board, as provided below.

Section 3. Role of the Officers of the Corporation. The Charter of the Corporation provides a special role for the officers of the Corporation in the operation of the educational institution, the University. In keeping with this Charter provision, the officers of the Corporation, the President, the Secretary and the Procurator (Treasurer) of the Corporation shall be ex officio members of the Board of Regents and of the Executive Governing Board.

Section 4. Faculty and Student Observers. The faculties and student bodies of Saint John's University shall each have the privilege of sending to all meetings of the Board of Regents and of the Executive Governing Board an observer, designated by an election or by an appointment which is held or made in accordance with regularly established procedures of such faculty or student group.

ARTICLE III. BOARD OF REGENTS

Section 1. Membership. The Board of Regents of Saint John's University shall consist of no more than thirty members. Initially the membership of the Board of Regents shall include as members all of the members of the previously existing Associate Board of Trustees of the University, each such member of the Associate Board of Trustees continuing to serve out the remainder of his term. The President, the Secretary and the Procurator (Treasurer) of the Corporation and the President of the University shall be ex officio members of the Board of Regents.

Section 2. Election. The Board of Regents shall opt its own membership by itself electing new members and by reelecting existing or former members. The Chancellor and the President of the University may also suggest to the Board of Regents the names of possible candidates for membership on the Board of Regents.

Section 3. Term. The members of the Board of Regents shall serve for a term of three years and may be reelected. The term of office shall become effective at the first meeting of the Board of Regents following election and acceptance of the office.

Section 4. Powers and Functions.

a. Subject to the Charter and Bylaws of the Corporation and to these Statutes of Saint John's University, the Bylaws of Saint John's University, outlining the internal organization of the University and prescribing its manner of operation, shall be adopted by, and thereafter be amended, revised or revoked by, the Board of Regents and by the Executive Governing Board, each acting separately by a majority vote of its full membership or by a quorum, whichever is the larger number of members. Proposals for new Bylaws for adoption, and also proposals for amendments, revisions or revocations of these Bylaws, shall be introduced first and passed first in the Board of Regents, only thereafter being presented to the Executive Governing Board for action.

b. The Board of Regents shall have power to act affirmatively or negatively on the whole of the annual financial budgetary request or on any items of these budgetary requests, as provided in Article VI, below.

c. The Board of Regents shall promote the general welfare of the University in its service to its students, the community, the nation and to God, studying the needs and opportunities of the University in this service. The Board of Regents, and the Regents individually, shall interpret to the University contemporary business, professional and civic needs; and interpret to the community the educational role, plans and resources of the University. The Board shall provide the University with a continuing broad evaluation of its problems and progress in its current operations, and advise the University on long-range planning in such matters as educational goals, faculty growth, student enrollment, plant and facilities, finance and general community relations. The Board shall guide the University in the attaining of financial support adequate for its objectives, and form a personal link between the University and those business, professional and civic areas in which understanding and support are of fundamental importance if the University is to accomplish its task for the intellectual and moral welfare of youth in the years ahead.

d. The Board of Regents shall elect four of the members of the Board of Regents to be members of the Executive Governing Board.

e. The Board of Regents shall by resolution determine upon its own officers, their method of selection and term of office, the place, time and frequency of meetings, together with the method of calling and giving of notice of meetings, the establishment of a quorum and of the general rules of order governing the transaction of business at meetings.

ARTICLE IV. EXECUTIVE GOVERNING BOARD

Section 1. Membership. The Executive Governing Board shall consist of thirteen members. Four members shall be elected by the Board of Regents, and four members by the Chapter of the Order of Saint Benedict. One member shall be elected by the Executive Board of the Saint John's University Alumni Association. The President, the Secretary, the Procurator (Treasurer) of the Corporation and the President of the University shall be ex officio members of the Executive Governing Board.

Section 2. Elections and Terms of Office.

a. The four members to be elected by the Board of Regents shall be elected from among the members of the Board of Regents.

b. The four Benedictine members to be elected by the Chapter of the Corporation shall be elected from among the capitulars of Saint John's Abbey, excluding from eligibility those capitulars who are members of the Board of Directors of the Corporation. No member of the Board of Directors of the Corporation, other than the officers of the Corporation who are ex officio members of the Executive Governing Board, may serve simultaneously as a member of the Executive Governing Board.

c. The alumnus member shall be elected by the Executive Board of the Saint John's University Alumni Association from among the body of the alumni of Saint John's University for a two-year term.

d. The initial members of the Executive Governing Board and their initial term of office shall be:

Board of Regents member 1, a term of four years;
Board of Regents member 2, a term of three years;
Board of Regents member 3, a term of two years;
Board of Regents member 4, a term of one year;
Benedictine member 1, a term of four years;
Benedictine member 2, a term of three years;
Benedictine member 3, a term of two years;
Benedictine member 4, a term of one year;
Alumnus member, a term of two years.

e. All initial terms of office will commence on 15 September 1970. After the expiration of the above initial terms of the initial members, their successors shall be elected to four years terms, the term commencing on the fifteenth day of September of that year. except those elected to fill a vacancy and the alumnus member elected to a regular two-year term.

f. All members of the Executive Governing Board are eligible for reelection to succeed themselves.

g. Any midterm vacancy in the membership of the Executive Governing Board shall be filled by an election held by the same group which elected the former member. The term of the successor elected to fill the vacancy shall be for the balance of the unexpired term of the vacancy.

h. The following method of nominating the candidates shall be included in the procedure for the election of the Benedictine members of the Executive Governing Board to be elected by the Chapter after the expiration of the terms of the four members initially elected. The Board of Directors of the Corporation shall annually elect a

nominating committee of three members, which committee shall prepare and present a list of eligible nominees for the office of member of the Executive Governing Board to the Chapter. Nominations of eligible candidates may also be made from the floor of the Chapter meeting by any member of the Chapter. The Chapter shall elect from among these nominees the annually elected member and any member elected to fill a vacancy.

Section 3. Chairman of the Board. The Executive Governing Board shall elect a Chairman from among its own elected members. No ex officio member of the Executive Governing Board is eligible for election to the office of Chairman. The Chairman shall be eligible for reelection. The term of office of the Chairman shall be three years. However, the term of office of the Chairman shall expire and terminate at such time, earlier than the final date of the regular three-year term to which he was originally elected, as the Chairman ceases to be an elected member of the Executive Governing Board.

Section 4. Powers and Functions.

a. The Executive Governing Board shall have power to approve the Bylaws of the University which have been submitted to and approved by the Board of Regents. Proposals for Bylaws of the University and their amendments, revisions and revocations shall originate in the Board of Regents.

b. The Executive Governing Board shall have power to act affirmatively or negatively on the whole of the annual financial budgetary requests or on any items of the budgetary requests, as provided in Article VI below.

c. The Executive Governing Board shall have full power of decision in respect to the educational policies of Saint John's University and full power of control over the execution of these policies, together with full control over the academic faculty and administrative personnel of the University.

d. The Executive Governing Board shall have full power of control over the business management and business management personnel of Saint John's University, together with control over the operation, maintenance and upkeep of the physical plant and facilities used by the University.

e. The Executive Governing Board shall be authorized to expend and shall have full control over the expenditure of money appropriated by the Corporation to meet the budgetary requests acted upon affirmatively, as provided in Article VI below.

These above-delegated powers of the Executive Governing Board and any manner of exercise of the powers by this Board are granted and permitted subject to any and all limitations of powers and of the manner of exercise of powers which control the Board of Directors and the Chapter of the Corporation as found, explicitly or implicitly, in the Charter and Bylaws of the Corporation, or either of them, now, or as these may be amended hereafter, and including especially as a part of those Bylaws the limitations, express or implied, found in the documents of reference which are made a part of the Bylaws of the Corporation.

Section 5. Quorum. Nine members of the Executive Governing Board shall constitute a quorum for the regular transaction of business.

Section 6. Removal. Any elected member of the Executive Governing Board may be removed at any regular meeting by the affirmative vote of nine members of the Executive Governing Board.

Section 7. Meetings. The Executive Governing Board shall determine upon the date, time and place for the holding of an annual meeting. Other meetings, their date, time and place shall be determined by the Board, and shall be subject to the method of call and of notice of meeting as prescribed by the Board.

ARTICLE V. UNIVERSITY OFFICERS

Section 1. Major Officers. The major officers of the University shall be the Chancellor of the University and the President of the University.

The President of the Corporation shall be, ex officio, the Chancellor of the University.

The President of the University shall be elected by the Executive Governing Board for a term of six years, and may be removed by that Board.

Section 2. Chancellor.

a. The Chancellor shall consult with and recommend to the Executive Governing Board persons for election to the office of President of the University and to the headship of the School of Divinity.

b. The Chancellor shall sign all documents which require action by the Board of Regents or the Executive Governing Boards.

c. He shall preside at commencement exercises and at the more solemn convocations of each educational unit, and he shall represent the University at important gatherings.

Section 3. President.

a. The President of the University shall be the chief administrator of the University, of its policies, of its academic faculty and its academic administrative personnel. The President has under his immediate control the academic institution, its faculty and students. All officers of the academic administration are responsible to the President.

b. The president shall consult with and recommend to the Executive Governing Board persons for appointment to the University vice-presidencies and to the deanship of the Graduate School.

c. The President shall appoint and employ the subordinate officers of the academic administration and shall recommend personnel for appointment to the faculty. He may remove and dismiss the subordinate officers, subject to the required procedures. Removal or dismissal of faculty personnel by the President is likewise subject to the required procedures, and under specified conditions the final decision rests with the Executive Governing Board.

d. The President shall provide for full implementation of the policies established by the Executive Governing Board for the University. He shall take care that proper educational standards are observed; that all legal requirements are met; that everything possible is done to attain the stated objectives of the University; that the best interests of the students and faculty are promoted.

e. He shall report, regularly and upon special request, to the Executive Governing Board upon conditions of the University and make such recommendations as he considers desirable.

f. He shall integrate, so far as possible, the work of all members of the faculty and administrative staffs.

g. He shall keep the Executive Governing Board and the faculty informed as to educational trends and especially developments in higher education, and shall see that the faculty is informed of the University's development plans.

h. He shall serve as ex officio chairman of the faculty of Saint John's University.

i. He shall be an ex officio member of all committees of the University.

j. He shall direct and supervise the raising of funds for the support and development of the University and its academic enterprises. He shall, in general, act as the University's representative and spokesman for external relations.

ARTICLE VI. BUDGETARY PROCEDURES

The annual financial budgetary requests shall cover the whole of the University's activities and all of its spending units. Without excluding others, the following areas must be included in the budgetary requests: faculty salaries and expenses; academic departmental expenditures; academic administrative costs; business management expenses; academic programs and convocations; student scholarships and other grants; monetary allocations for student affairs; auxiliary services and enterprises of the University; costs of operation, maintenance and upkeep of facilities used by the University. All budgetary requests shall be processed through four essential steps or stages, with the exception of the smaller supplementary or emergency budgetary requests made during any fiscal year, as indicated below. These four stages, which are to be followed in the order listed, are: (a) the business management and Budget Committee, (b) the Executive Governing Board, (c) the Board of Regents, and (d) the Corporation.

a. The business management and the Budget Committee of the University shall annually gather, compile and collate the detailed estimates for expenditures for the next fiscal year from each spending unit of the University, and prepare the annual budgetary requests covering the entire University operation, carefully planning the budgetary requests for expenditures so as to coordinate these with the anticipated income or revenue available from all sources. The completed budgetary requests shall be directed next to the Executive Governing Board.

b. The Executive Governing Board shall give detailed consideration to these budgetary requests, taking affirmative or negative action on the budgetary requests as a whole or on any items of these requests. In the event of negative action by this Board, such items or the whole of the budgetary requests may be returned to the business management and the Budget Committee. After completing affirmative action, the Executive Governing Board shall direct the budgetary requests to the Board of Regents.

c. The Board of Regents shall give detailed consideration to the budgetary requests, taking affirmative or negative action on the budgetary requests as a whole or on any items of these requests. In the event of negative action, the budgetary requests or the rejected items may be returned to the Executive Governing Board for further action. When affirmative action on the budgetary requests is completed, the Board of Regents will direct the

budgetary requests to the Board of Directors of the Corporation for action by the Corporation.

d. The Corporation may appropriate or refuse to appropriate funds to cover the whole of the budgetary requests or any items of these requests. Having appropriated funds, the Corporation shall authorize the expenditure of such funds by the Executive Governing Board acting on behalf of the University.

In the event of there being need for small supplementary or emergency budgetary requests during the course of a fiscal year, such supplementary or emergency budgetary requests, after receiving the affirmative action of the Executive Governing Board, shall be directed to the Board of Directors of the Corporation for action by the Corporation.

ARTICLE VII. TRANSFER OF ASSETS. MERGER. DISSOLUTION

Neither the Board of Regents nor the Executive Governing Board has the power, and shall not attempt: (1) to transfer, mortgage, convey or otherwise encumber or dispose of all or any part of the real estate assets, including land, buildings and fixtures of the Order of Saint Benedict, the Corporation, whether used or not used in the operation of the University; (2) to transfer, mortgage, pledge, convey or otherwise encumber or dispose of all or any part of the personal property assets of the Order of Saint Benedict, the Corporation, whether used or not used in the operation of the University, except that the Executive Governing Board may authorize and order the expenditure of monetary funds placed under the control of the University and the Executive Governing Board by reason of the appropriating of these moneys by the Corporation pursuant to the annual financial budgetary requests of the University or to some supplementary or emergency budgetary request of the University; (3) to merge or consolidate the University with any other institution, association or corporation; (4) to terminate or dissolve the University.

ARTICLE VIII. AMENDMENT

These Statutes of Saint John's University have been adopted and approved by the Board of Directors, with the assent of the Chapter, of the Order of Saint Bnedict, the Corporation, consistent with the legislative Charter authorizing the establishment, erection, supervision and conduct of an educational institution known as Saint John's University.

These Statutes may be amended, revised or revoked by the Board of Directors of the Order of Saint Benedict, the Corporation, by a majority vote of all the members of that Board of Directors, provided they shall act with the assent of the Chapter of the Order of Saint Benedict.

1 February 1974

BYLAWS OF SAINT JOHN'S UNIVERSITY[1]

ARTICLE I. AIMS

Saint John's University is a Benedictine institution of higher learning staffed by both religious and lay faculty. It is dedicated to the education of persons of all ages in the arts and sciences in accordance with the traditions of the Order of Saint Benedict, Incorporated, Collegeville, Minnesota, and consistent with the 1857 Charter of incorporation as subsequently amended; the 1919 Bylaws of the Order of Saint Benedict, Collegeville, Minnesota; and the 1970 Statutes of Saint John's University.

ARTICLE II. MISSIONS AND PROGRAMS

The University has the responsibility for organizing educational programs at both the undergraduate and graduate level, maintaining a greater emphasis upon undergraduate studies.

Consistent with Benedictine tradition, there shall be a commitment to the concept of community, particularly in its residential aspects, to intercultural and international education, to the integration of the liberal arts, work and public service with worship and contemplation.

Professional programs consistent with the aims and missions above shall also be pursued, particularly in the preparation of persons for the ministry and related fields.

Paraprofessional programs at the undergraduate level may be developed provided they are conducted in the context of the liberal arts and directly related to the aims and missions of the University.

Saint John's University shall continue its commitment to the advancement of knowledge and scholarship, to the continued development of ecumenical activities and studies, and to public service at local, state, national and international levels.

It is the responsibility of the University community to carry out these missions, to provide the requisite administrative structures and to devise programs at the highest quality levels of both instruction and curricula commensurate with our resources. The addition or subtraction of programs and changes in administrative structure shall be accomplished through the usual University process of consultation and with the approval of the Executive Governing Board.

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[1]Most recently revised by action of the Board of Regents and the Executive Governing Board on 2 February 1973.

ARTICLE III. PRESIDENT

The President is the principal academic and administrative officer of the University. He has immediate supervision over its activities. He reports to the Executive Governing Board and the Board of Regents. All officers of the administration are responsible to him. While delegating duties and responsibilities to others, the President should undertake directly such responsibilities as the following:

(1) Insure that all policies established by the Executive Governing Board and the Board of Regents are implemented fully; that proper educational standards are observed; that all legal requirements are met; that everything possible is done to attain the stated objectives of the University and to promote the best interests of students, faculty and all constituencies of the University.

(2) Report regularly to the Executive Governing Board and the Board of Regents upon the condition of the University and make such recommendations as he considers expedient.

(3) Direct that the annual budget is prepared for the approval of the Executive Governing Board, the Board of Regents and the Corporation and insure that it is administered properly.

(4) Publish annually a chart of organization which shall indicate the administrative structure of the University.

(5) Recommend personnel for appointment to the faculty and make recommendations for their professional growth.

(6) Recommend for appointment subordinate officers of the administration.

(7) Integrate, as far as possible, the work of all constituencies of the University: faculty, students, administration and staff.

(8) Keep the faculty informed on educational trends, especially on developments in higher education and on the development plans of the University.

(9) Serve as ex officio chairman of the faculty, make standing committee appointments according to the regulations of the Handbook and appoint other committees when necessary.

(10) Serve as an ex officio member of all committees.

(11) Represent the University to its constituencies; to the Corporation and its officers; to the general public; to educational groups and agencies; in general, be its spokesman.

(12) Recommend plans for buildings, campus improvements and the maintenance of grounds and buildings.

(13) Direct and supervise the raising of funds for the support and development of the University.

ARTICLE IV. UNIVERSITY CONSTITUENCIES

The University shall consist of:

Section 1. Faculty. Persons having appointment for the instruction of students.

Section 2. Students. All persons matriculated at Saint John's University as defined within each college or school of the University.

Section 3. Administration. Those appointed by the Executive Governing Board to carry out the Board's policy and act as liaison between the Board and the University community. It shall also include the staff officers appointed by such personnel.

Section 4. Staff. Operational, technical and managerial employees of the University, i.e., serving in a secretarial, clerical, maintenance or similar capacity.

Section 5. Those persons who are in two or more categories take their membership in the University from the category in which their primary involvement lies.

ARTICLE V. FACULTY

Section 1. Appointments. Appointments to the faculty of Saint John's University will be made by the Executive Governing Board upon the recommendation of the President. The President shall consult in the first instance with the relevant department and/or school in which the appointment is to be made. He shall then consult with the appropriate University committee.

Those presently holding rank are ipso facto members of the faculty.

Section 2. Equivalence. The President may recommend that faculty status be awarded to professional personnel, provided the above consultative procedures are followed.

Section 3. Ranks. Faculty ranks are professor, associate professor, assistant professor, instructor and lecturer.

Adjunct status in any of the above ranks may be recommended as needed.

Section 4. Tenure. The University faculty shall be composed of tenured and nontenured members. As a general rule, departments should likewise be composed of both tenured and nontenured faculty. It is the responsibility of the President to apply this principle to each department.

Section 5. Academic Freedom. All members of the faculty are entitled to academic freedom as defined in the statement of principles on Academic Freedom and Tenure formulated by the Association of American Colleges and the American Association of University Professors in 1940 and since then widely accepted by American colleges and universities. The pertinent provisions of the statement are as follows:

a. "The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his other academic duties; but research for pecuniary terms should be based upon an understanding with the authorities of the institution.

b. "The teacher is entitled to freedom in the classroom in discussing the subject, but he should be careful not to introduce into his teaching controversial matter which has no relation to his subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.

c. "The college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When he speaks or writes as a citizen, he should be free from institutional censorship or discipline, but his special position in the community imposes special obligations. As a man of learning and an educational officer, he should remember that the public may judge his profession and his institution by his utterances. Hence, he should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he is not an institutional spokesman." [2]

ARTICLE VI. GOVERNANCE

Among the constituencies enumerated in Article IV the primary obligation for academic affairs rests with the faculty. The principle of consulting all constitu-

[2] "Academic Freedom and Tenure," Bulletin of the American Association of University Professors 27 (February 1941) 41.

encies within the University in deliberative matters will be followed to the extent reasonable and feasible.

Councils, commit ees, commissions and other elected and/or appointed groups shall, in general, be broadly representative of the various constituencies of the University and, when appropriate, of off-campus constituencies such as alumni, parents and community organizations.

The President shall appoint appropriate committees to prepare detailed drafts for governance consistent with these Bylaws. The President will review such drafts and will submit final copy to the Executive Governing Board for its approval.

ARTICLE VII. AMENDMENT

Section 1. The present Bylaws of Saint John's University have been made and duly approved by the Board of Regents and the Executive Governing Board at their regular meeting of 2 February 1973.

These Bylaws are intended to be interpreted as consistent with the legislative Charter of 1857 establishing the Order of Saint Benedict, Incorporated; the Bylaws of the Corporation; and the 1970 Statutes of the University. They supersede the Bylaws of the University adopted in 1963.

Section 2. These Bylaws may be amended or revised by the Board of Regents and the Executive Governing Board at any regular meeting or special meeting called for that purpose.